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AMERICA,

ITS REALITIES AND RESOURCES:

COMPRISING

IMPORTANT DETAILS

CONNECTED WITH THE

PRESENT SOCIAL, POLITICAL, AGRICULTURAL, COMMERCIAL, AND FINANCIAL STATE OF THE COUNTRY,

ITS

LAWS AND CUSTOMS,

TOGETHER WITH

A REVIEW OF THE POLICY OF THE UNITED STATES THAT LED TO THE WAR OF 1812, AND PEACE OF 1814—THE "RIGHT OF SEARCH,"

THE TEXAS AND OREGON QUESTIONS,

ETC. ETC.

BY

FRANCIS WYSE, ESQ.

BIBLIOTHEQUE SAINT-SULPICE

"Amicus Plato, amicus Socrates, sed magis amica veritas."

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AMERICA.

CHAPTER I.

Slavery in the United States—its continuance in direct violation of the principles of the United States Constitution—Supported by the Federal Government—The internal Slave trade of America—The breeding and rearing of Slaves for exportation—The power of the United States to abolish Slavery within the district of Columbia—Action of the United States Congress in relation thereto—The abrogation of the right of petition as to slavery—Disgraceful exhibition in the House of Representatives—Threat of a dissolution of the Union—Effort of America to enforce a new principle of international law, as to Slaves and slave property—Case of the Brig Enterprise—also the Creole—Outrage on the Charleston Post-office—Subsequent disgraceful proceedings of the United States Government—The enquiry of who, or what is the Government of the United States.

"The Americans, in their conduct towards their slaves, are traitors to the cause of human liberty, foul detractors of the democratic principle, and blasphemers of the great and sacred name they pretend to recognise."—*O'Connell.*

THE Slave trade of America, that most prolific source of unmitigated evil, and just cause of national reproach, has within the few last years

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and since the mind of man has become more liberal and enlightened, but more especially, since the passing of the act of the British legislature in relation to the slaves of her West India and other colonies, become a subject of fearful import to the United States; where, to the national disgrace, this inhuman traffic is still carried on, under the direct sanction of the Federal Government—in contravention of the declared principles on which it is based, and in direct violation of the asserted truths, put forth in their memorable declaration of national independence.

By this solemn ordinance, the American people have proclaimed, that "All men are created equal, endowed by their Creator with certain inalienable rights, that among these are *life*, *liberty*, and the *pursuit of happiness.*"

It is from the spirit and context of this far-famed document—this eloquent asserter of the rights of man, that foreigners are generally apt to form their opinions of the new world, and the extent of liberty secured to its population. But this is a fallacious—an erring standard, one by which the United States should never be judged; for, notwithstanding the loud and ostentatious boast of these modern sticklers for universal freedom—notwithstanding the fulsome and sickly declamation in which the nation has indulged to its full repletion, we nevertheless find, nearly one-sixth of the entire population, or about 2,700,000 fellow beings in a state of the most servile and abject slavery—the bondsmen of a severe

and merciless set of task-masters, who claim a legal and prescriptive right in the flesh and sinew of their fellow man, and under the sanction of the very instrument that has bound each State in solemn compact with the other, and forms the basis of the Constitution they so much delight to reverence.

This dark spot on the national escutcheon is kept as much as possible out of view of every stranger. It is seldom permitted to form a subject of public discussion, or of social or private conversation; all allusion to it heretofore, being strictly prohibited, by the general assent and influence, it is true, of public opinion in the north, which is tolerably well concentrated on this point, and by more positive legal enactment in the south. The man, who, under the impulse of a kindly nature, possessing more of philanthropy and Christian benevolence, than, perhaps, of discretion or worldly prudence, in his composition, ventures to raise his voice in any mixed society or assemblage of his fellow citizens, in decrying this staple and inhuman traffic, is at once denounced—charged as an incendiary and an enemy to the public weal, and at war with the best interests of the Republic.

Americans sometimes endeavour to remove from their immediate responsibility the odium of abetting slavery, and continuing this degrading practice in the heart and centre of their country, from the fact, of its having been first and early introduced amongst them, whilst a colony of Great Britain; and point out to an act of the Federal Government, so far back as the year 1787, prohibiting slavery in the

immense territory north-west of the Ohio, where the extensive states of Ohio, Indiana, and Illinois, have since sprung up, as evidencing a desire to check the practice in its incipient and early growth amongst them; as far, at least, as the legislative power of doing so, could accomplish this end. They point out as their excuse, the many difficulties with which the measure is beset—the inviolability with which the original compact, made between the several States of the Confederacy should be preserved, reserving to each separate intersection the sole control and arbitrament of this important question, within its immediate limit. But they take especial care while doing so, to hide or pass by the fact, that it is now some sixty odd years, since the nation has been freed from the control of English legislation, and left to its own guidance in all such matters—that it is only about thirty years, since that the African Slave trade was carried on from the Atlantic ports of the Republic, and that so late as the year 1807, no less than *fifty-nine vessels*, engaged in this brutalizing traffic, were alone sent out from the little state of Rhode Island; at that time scarcely numbering a population of 70,000 inhabitants:—as well the equally important truth, that in the district of Columbia, under the tutelage and sole controlling power of the General Government of the country, where no compact can possibly restrain or influence its measures, this iniquitous system is not only carried on—preserved in all its most abhorrent features, and in its original freshness and deformity, but that Washington, the

seat of the Executive Government of the country, is, in fact, the *centre-mart* of this legalised trade in human flesh, carried on under the very walls of the Capitol, and within the positive view and hearing of the sage legislators of this model Republic, who, notwithstanding, are increasing in their plaudits, and dose you, *ad nauseam*, with the same eternal theme of the matchless beauty and excellence of their free institutions. "How very frequently have the Members of this House," declares the Hon. Mr. Geddings, Member of Congress for Ohio, in his speech in the Hall of Representatives, February 13th, 1839, "been compelled to turn aside from the path leading to the Capitol, to permit a coffle of slaves, male and female, *chained to each other by their necks*, to pass on their way to this national slave market." Yet such is the melancholy and uncontroverted truth, while scarcely a week intervenes without a considerable number of these unfortunate beings being dragged from their early homes, and shipped, either from this port (Washington), or the port of Alexandria, in the vicinity, for some one of the southern states; where they are consigned to unremitting labour and an early and premature grave. It is told by Dr. Torry, in his published account of the American Slave trade (page 64), and on the authority of a Member of the House of Representatives (Mr. Aldgate), that during a late session of Congress, as several members were standing in the street near the Capitol, a drove of manacled coloured people were passing by, and

when just opposite, one of them, elevating his manacles as high as he could reach, commenced singing the favourite national song—"*Hail Columbia, Happy land!*"—What a commentary does this incident carry with it—what a rebuke from this wretched slave to an entire people; affecting an overweening love of freedom, while steeped in the iniquity of manifold guilt, that in its duplicity and wickedness, vainly essays a parallel with any modern civilised nation of the world.

It is contended that the powers of the Federal Government, being merely *secondary* instead of *original*, and possessing an authority only, such as was delegated to it by the several states, under the Articles of Confederation of 1788, and Amended Constitution of 1789, to which it is strictly confined, it is of itself unable to control, or abolish slavery within the general limit of the Republic:—that its hands are tied—its power altogether circumscribed in this respect.

It is very true that slavery was not mentioned in the wording of the original Constitution, in which there was no provision made for its continuance, any more than for its suppression at a future day. The central Government, on this account, has found many apologists for its supineness, and excuses are readily offered for its assumed apathetic indifference —its quiescence on this subject. But it should be judged, not alone by these parchment records, arranged and put together at a time, when the working of this new system of government—its

capabilities to secure a nation's prosperity and well-being, was at least problematical, but also, by the means so long within its reach, and at this moment within its control—the power actually within its grasp, to put an end to a domestic slave trade, now the worst feature in the dark catalogue of ills, with which this question is made up—carried on within the confines of its own immediate territory—on its own soil, and from where many thousand unfortunate fellow creatures are annually consigned to a miserable—a wretched—though short-lived existence. It should be judged for the evils of this system, of which, by its neglect, it is the parent; and to a considerable extent made chargeable with its continuance within the southern states, in the direct sanction which it gives by its sustainment of the principle, within the limit of its own immediate jurisdiction—in the District of Columbia under its exclusive legal control—where slavery is still encouraged, and from where, an average of six thousand human beings are annually exported for sale, to the southern markets.

That the United States Congress possesses no inherent, or delegated constitutional authority, to suppress domestic slavery—to decree the immediate or prospective manumission of 2,700,000 of the slave population of these states, is at once conceded to the veriest admirer of their peculiar form of government:—at the same time that Congress, in point of fact, possesses ample powers to put an end, by a perfectly constitutional interference

upon its part, and a proper exercise of its authority, to the internal slave trade, as carried on between the several slave states of the Union, and to finally extirpate this traffic from amongst its citizens:—for though such interference is not directly ceded as within its immediate and positive authority, a right is nevertheless reserved to the General Government, and under the same federal compact of an undisputed control in regulating the trade and commerce, not only then subsisting, and thereafter to arise, between the Republic and foreign states, but also, between each and every state of the Confederacy.

That the breeding and rearing of slaves, as it is termed, for sale, and further export to other states within the Union, is one of internal trade, almost the sole acknowledged means—the wealth of many of the slave-holding states, no American will, at the present day, pretend to deny:—the staple of Maryland and Virginia, particularly the latter, from where 10,000 slaves are annually exported to the states of Georgia, South Carolina, Louisiana, and other slave districts of the south. Sufficient evidence has already been published, and is now before the world in attestation of this fact. The Honorable Thomas M. Randolph, late Governor of Virginia, in his speech before the legislature in 1832, declared the number annually sold to southern dealers, at between eight to nine thousand. "The exportation," observed this distinguished functionary, "has averaged 8,500 for the last twenty years. Forty

years ago the whites exceeded the coloured population 2,500, the coloured now exceed the whites 81,000, and these results too, during an exportation of near 26,000 slaves, since the year 1790; now, perhaps, the fruitful progenitors of half a million in other states. It is a practice, and an *increasing practice* in Virginia, to *raise slaves for market.* How can an honourable mind, a patriot and lover of his country, bear to see this ancient dominion converted into one *grand menagerie,* where men are to be reared for market, like oxen for the shambles."

It is, we earnestly believe, within the province of the General Government to put an end to this state of things—to cut short this nefarious system, by a proper and firm exercise of the power with which it is invested under the Constitution. Such, also, we are bound to say, is the declared opinion of some of the most eminent American jurists on the subject, while very little doubt, we apprehend, can arise as to its correctness.

If, by any tortuous reasoning, the authoritative power of the Federal Government in this respect could be called in question, no possible apprehension can exist as to its indefeasible right, to abolish slavery within the district of Columbia, should it think proper to do so; and by this act of simple justice, to remove the foul and cancerous sore that has so long defaced the fairest page of American history.

It is declared in the eighth section of the first

Article of the United States' Constitution, in relation to this subject, that:—

"Congress shall have power to exercise *exclusive* legislation in *all cases whatsoever* over such district, not exceeding ten miles square, which Congress may fix upon, and accept for the seat of Government of the United States, while the terms of the cession were nearly as follows."

On 23rd of December, 1788, Maryland passed an Act to cede to the United States, any district in the state not exceeding *ten* miles square, which Congress might fix upon and accept for the seat of Government of the United States; and this, without any proviso, or reservation whatever. On the 3rd of December, 1789, Virginia did the same, and in these words—"and the same is hereby for ever ceded and relinquished to the Congress and Government of the United States, in full and absolute *right* and *exclusive jurisdiction*—as well of *soil*, as of persons residing, or to reside thereon, pursuant to the tenor and effect of the 8th sec. of the 1st article of the Constitution," (above quoted). The cession was accompanied with a condition, touching the *soil*, merely—"that nothing therein contained should be construed to vest in the United States, any right of property in the *soil*, or to affect the rights of individuals *therein*, otherwise, than should, or might be transferred by such individuals."

There was also a further proviso—"that the jurisdiction of the laws of this commonwealth (Virginia), over persons and property of individuals,

residing within the limit of this district, should not cease, until Congress having accepted the cession, should by law provide for the government thereof, under their jurisdiction, in manner provided for by the articles of the Constitution before recited,"—distinctly implying—that *then*, the jurisdiction of the States laws should cease, and Congress exercise "*exclusive legislation*," over "persons and property within the district in all cases whatsoever." And in July, 1790, Congress accepted the cession, providing, that the laws of the State should remain in force, *until* the time fixed on for the Government thereto, and *until* Congress should *otherwise by law provide.*

Nothing, assuredly, can appear more explicit, and certainly nothing to our comprehension, more perfectly lucid and satisfactory, or more completely setting at rest every possible surmise as to the nature and comprehensiveness of the authority vested in the General Government and Congress, to control by legislative enactment, such as they should themselves think proper, both slavery and the slave trade of the entire district, thus placed under their immediate rule and supervision. Notwithstanding, and the obligations that these rights imposed, we find each session of the legislative body frittered away in boisterous and angry declamation—in personal altercations amongst its members, whenever this subject is attempted to be brought under their consideration—the representatives of the middle and southern states, antagonist with those of the remaining sections of the republic, in their exertions to perpetuate this most abhorrent practice in the very heart and centre

of the country; perfectly heedless of every political and moral consequence to the nation, its character and seeming, and by the most reprehensible and unconstitutional efforts, in resisting its peaceable and deliberate consideration, to effect their purpose, even at the sacrifice of the most valued privileges of the citizen—the right conceded to the people to petition Congress for the redress of any assumed or positive grievance.* To this end, and in order to preclude all opportunity of remonstrance, the Legislative Chambers passed a resolution to effect, interdicting all appeals by memorial, or otherwise, from any class, or number of citizens, touching slavery, or the slave trade of the United States; and thus, virtually, abrogated of their mere will, one of the most important immunities assured to the people, under the constitution of the country. Nay, so very determined were the representatives of the southern states, to carry out their purpose, so opposed to every, or any change or modification of the laws affecting slavery within the republic, that they resolved with one accord, to withdraw themselves from Congress, with a threat of an ultimate severance of the Union, if opposed in their determined resolve, to prevent all future legislation on this subject, within the walls of Congress.

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* Article I. of the Amendments to the Constitution distinctly declares, "that Congress shall make no law abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

The scenes that were enacted within the House of Representatives on this memorable occasion, (December 1837,) though characteristic, were highly discreditable to the nation, as well as disgraceful to the individual parties concerned in them. The presentation of a petition by Mr. Slade, representative for Vermont, praying for the abolition of the slave trade and slavery in the District of Columbia, on which opportunity the honourable member moved, that it should be submitted to a select committee, to consider and report upon it to the House, was the immediate cause of calling forth this decided expression of the representative body, in the subsequent resolutions that emanated from them. The character of Mr. Slade—his high unimpeachable honour, was an ample guarantee of the sincerity of his motives in bringing forward this question, and originating a discussion, that conveys in its simple detail, some proper estimate of the fierce elements of strife and national discord, which are interwoven with the question of internal slavery throughout every part of the United States. There were prejudices, it is true, opposed to its consideration, which with others, though equally sincere, were first to be overcome—the interested opposition of the many to be met with at the outset, and on the part of those, who were ready to sacrifice every assumed or prospective good to their country, than yield assent to any measure of commendable policy, that might possibly encroach upon the individual, or assumed rights of the southern slave-dealer. But Mr. Slade felt, that he had embarked in a sacred and

just cause, that should not yield to any of the expedients, by which other and temporary advantages are sometimes to be secured. The entire subject of slavery, as he proceeded, was bared before the House—its iniquity forcibly depicted in the eloquent and powerful language of the speaker, who referred to the Bible and writings of the Apostles, to prove its unrighteousness and sin. "A firebrand," to use the descriptive language of an eye-witness, "was thus cast into the House at the very outset. Mr. Legare of South Carolina, (a slave state,) implored Mr. Slade to withhold his remarks for one night at least, that he might have an opportunity to reflect on the consequence of his ill-timed proceedings, but to no purpose. Mr. Dawson of Georgia, (another slave state) begged him to desist as a man, and a lover of his country; but all was of no avail. Mr. Slade, who was calm and collected, refused to yield, and continued his remarks, adding at each sentence additional food for excitement. Mr. Wise of Virginia now interposed. He also was unsuccessful—Mr. Slade was firm; he had a duty to discharge, he said, to his God—his country, and constituents, and while life or breath lasted, he would not yield. At length Mr. Wise rose, calm and dispassionate; and yet his wild and piercing eye, and pallid countenance, indicated a fury of passion. He said, as the gentleman from Vermont would not forego his designs, and as the House had no remedy, he had to propose, that the several Representatives from Virginia, *should withdraw themselves from Congress.* Agreed—agreed, responded fifty voices, and the

delegation from Virginia quitted their seats. The delegation from Georgia, and other slave states, followed this example. And Mr. Cambell of South Carolina rose, and invited the whole southern delegation, to meet in the room of the Committee of Claims—"to adopt such steps, as the exigencies of the case might demand, and to consider the propriety of *dissolving the Union.*"

Thus, on the 20th of December, 1837, all was confusion, excitement, and alarm at Washington. On the following night, the southern members were in secret session until past twelve o'clock, and after a consultation of some hours, it was agreed, that the principles of a report introduced two sessions before, by Mr. Pinckney, should be agreed upon, as the "terms of their return to Congress." Next morning, in consequence, the following resolution was presented by Mr. Patton of Virginia, and adopted.

"*Resolved.*—That all petitions and resolutions, praying for the abolition of slavery within the district of Colombia, and memorials or resolutions in relation to slavery in the different states, should be laid upon the table, without reading—without reference—without printing—and without discussion." After a short debate this resolution was carried by a vote of 135 to 60!

Thus were the south for the while conciliated—their apprehensions reconciled, and to all appearance, the subject of slavery set at rest within the walls of the Capitol; while the slave—the unfortunate helot, cast at their mercy—removed from his kindred and home, the mere creature of their will—compelled to purchase life, at the sacrifice of all that can make

life endurable, as well by the sweat and toil of his daily efforts, was thus cut off from every anticipation, or remote chance of exciting the least measure of legislative interference in his behalf, and could only rest his hopes of any future amelioration in his condition, on the strength and vigour of his own right arm, or on the sympathies—the humane and benevolent exertions of the moral and upright of other nations, to whom he could alone turn, with any expectation of removing even at a distant day, the chains that have so long continued to secure his worn and emaciated frame, or the proscription, that has so long and unjustly pursued him and his race.

A motion to rescind this resolution was, nevertheless, every now and again brought before the Representative Chamber, on petition, or on some other pretext, until the month of January, 1840, when this august body determined to amend its rules and orders, and in such a way, as to effectually exclude all petitions of the kind whatsoever, in relation to slavery within the United States—the territories of the Republic, or in the District of Columbia, and that none should be received, or in any wise acted upon. All discussion, or other action of the House in relation to slavery, was thereby declared at an end, and for ever, until the rules and orders of Congress might become changed. The presentation of all petitions, with reference to this subject, was from thenceforth strictly prohibited.

Alas! what a degrading and humiliating spectacle was this—what a melancholy instance of

human frailty—of duplicity and crime, emanating from a people calling themselves "*Free and Independent!*" and vaunting their high intellectual and moral superiority over all other nations of the Christian world. With what a lamentable facility do they absolve themselves from every charitable and Christian consideration — forswear in their more solemn adjudications, the principles on which their constitutional rights are said to be based, and fling to the four winds of Heaven, in order to perpetuate slavery in its most hideous form in their midst, the first principles of all free Government—the right enjoyed by the people, to have their humble prayers for redress, at least received and listened to. Not only do they recognise slavery as an ingredient in their domestic relations, and sustain it as auxiliary to their national prosperity, but reject even the consideration of the manifold wickedness—the guilt and profligacy with which it co-exists amongst them; choosing rather to deface the constitutional structure they have raised with so many and admitted sacrifices—to forswear in their every day practice their more solemn declarations before the world, than risk the exposition of their misdeeds—or the abandonment of a nefarious traffic, which they still adhere to, in the flesh and sinew of their fellow men. Out upon them!—Their sins against human liberty have far outnumbered any efforts they may have ever made for its sustainment. Their transgressions against mankind have already been numerous and unatoned for—identifying the character of the American people with

the worst species of political dissimulation and crime.

This resolution of Congress occasioned a deep-felt concern in the northern and eastern States, especially amongst the advocates of emancipation, with whom it called forth increased exertion in the laudable pursuit in which they were engaged, as also among the supporters of popular rights in these States; and who, though generally sympathising with the unhappy slave, and the proscription to which he was thus doomed, yet, adopting the principle of non-interference in their relations with the south on this question, nevertheless, felt that the conduct pursued by Congress in rejecting the petition of any portion or number of their fellow citizens was an extreme measure—an unwarranted usurpation of their just rights, unsanctioned by the constitution, or any former precedent, and that it was the bounden duty of the people to relieve themselves from its influence, by every legal and constitutional means within their power, for this purpose.

All discussion within the walls of Congress had now ceased on this nervous and exciting topic—these worthy representatives of popular freedom having betrayed the obligations of their sacred trust, proclaimed their want of all moral courage to meet the question on debateable, or any other legitimate grounds, and though of such paramount consideration to the liberties of 2,700,000 of their fellow citizens, who were fated by their decision, to a severe and unremitting bondage.

This unconstitutional and arbitrary exercise of the power thus placed in their hands for other uses, was followed by numerous petitions from the people, requiring that Congress should rescind its prohibitory rule in the introduction or presentation of petitions, in any wise relating to slavery within the Republic. Debate followed debate on this question, through each succeeding session of the Chambers, but with very little apparent promise of success, until the year 1844, when the subject was once more introduced by Mr. Adams in the House of Representatives, who moved the rescinding of this rule, (the 25th of its standing orders), supporting his motion by the display and advocacy of the most commanding talents; when, on a division, the numbers were for continuing the rule, 80—for its abrogation, 108; relieving the nation from the disgrace of its further continuance, and declaring that abolition petitions might from thenceforth be received, to be referred (though without debate, or even casual remark) to the usual committee—but never to be heard of afterwards.*

* The following statistics of the vote on this memorable motion is not without interest:—

AYES.		NOES.	
Southern Democrats . .	00	Northern Whigs . . .	00
Southern Whigs . . .	5	Southern Whigs . . .	16
Northern Democrats . .	54	Northern Democrats . .	16
Northern Whigs . . .	49	Southern Democrats .	48
	108		80

Ayes:—54 Whigs, and 54 Democrats. Noes:—64 Democrats, and 16 Whigs.

The southern, or slave States, as might have been expected, were loud and unequivocal in their condemnation of this last proceeding. South Carolina adopted the initiative, and in the following resolutions, submitted to the legislative assemblies of this State, spoke the feeling and unanimous determination of the entire south.

"*Resolved, unanimously*—That this senate considers the recent movement in the House of Representatives in Congress, in relation to the reception of petitions to abolish slavery in any portion of this confederacy, as calculated to endanger the peace of our State—as a *flagrant outrage* upon our rights, and as a decided step towards the subversion of our institutions, and the dissolution of the Union.

"*Resolved, unanimously*—That on this subject we admit no legislative power in Congress, and that such legislation will be, in fact, a dissolution of the Federal Compact.

"*Resolved, unanimously*—That if there should be legislation on this subject by Congress, the Governor of this State is hereby required to call the legislature together, in order to decide upon the mode and manner in which we shall preserve and defend our ancient rights and liberties."

But no further action since then, has taken place, or is likely to do so, within the walls of Congress, until the force of circumstances—the pressure from without, may impel the country to the adoption of a course, more reconcileable with justice, and the spirit of universal toleration and freedom, to which the constitution of America has given but a name.

It can scarcely be received as an apology on behalf of the Federal Government, that the state of parties within the Republic, has, to some extent, coerced it

into a tacit or implied support of the slave pretensions of the southern States. The truth may be, as its advocates have often pretended, that these States, from their mere numerical superiority, possessing a majority of votes in the United States' Senate, enabling them to direct all matters of state policy, with a strong controlling influence in the House of Representatives—that they, in fact, are the ruling power by which the country is governed—that gives a colouring to all its proceedings, and which will suffer no innovation or interference with their peculiar rights or privileges, where slavery is concerned.

At the period of the signing of the memorable Declaration of American Independence, there were but thirteen States forming the Republic; six of these were free States, or about becoming so; the remaining seven were slave States. Since then, thirteen others have been admitted within the pale, eight of which are slave States. We may with some degree of confidence ask, why were these eight admissions permitted? Why were slave interests augmented after this mode? During the probationary course of these projected commonwealths, they were as Territories of the Republic (awaiting the period of their introduction into the Union), under the immediate control of the General Government, that had it been so inclined, might almost have dictated the terms of their admission, and by eschewing slavery, have relieved the nation from the reproach and other consequences of a direct acquiescence in its increase, besides preparing the way for its gradual

suppression. But when these, and such like opportunities, are allowed to pass unheeded, and without any proper advantage being taken of them—when every public act of the Government is studiously framed in an opposite bias, and its exertions only made available in perpetuating this abominable system, we confess it somewhat difficult to recognise its good intentions—to admit the sincerity of its advocacy on behalf of human rights, whenever put forth in any of its public acts, or to receive the apologies of its friends, in palliation of any of its more recent delinquencies.

The evidence of the last few years will attest the value that the slave-holding States attach to their connection with the Federal Government, if merely from the exertions they have made to more immediately identify it with their interests; especially, in a late instance, where they evidently hoped to make it instrumental in establishing an international rule with foreign powers, as to slaves, who, in their transport from one part of the Republic to another, might from any accidental circumstance—stress of weather, &c., be compelled to take shelter in a neutral port; as also, to exact from Great Britain, that such slaves as might perchance escape into her Canadian, and other colonial possessions, should be summarily given up, or else their citizens fully indemnified for the loss, by reason of her neglect, or refusal to do so.

Up to the period of the entire manumission of the West India, and other British colonial slaves, the

principle of granting an indemnity for the slaves belonging to the citizens of a friendly State, compelled under difficulties, involving a risque of the lives of the unfortunate beings, to take shelter in any of her distant colonies, and who, thereupon, might have been liberated, or set at large by the local authorities, was freely acquiesced in by Great Britain; particularly, in the instance of an American vessel that had been forced into some of the ports of the *Bahama* islands. But the right, since then, has been disavowed by the British minister, especially on a very late occasion, and on a demand being made by the United States, on account of an American vessel with slaves on board, (the Enterprise,) driven by stress of weather to take shelter in the island of *Bermuda*, and where the slaves, upon their application, were immediately liberated; when the British Government peremptorily refused all compensation, accompanying such refusal with the significant declaration, "that Great Britain could not recognize any property in human flesh."

The senate of the United States, under a very different apprehension, immediately protested against this abrupt refusal of the British Government, as well the principle which it asserted, and passed a resolution condemnatory of its conduct on the occasion, in the following, which was responded to from every part of the Republic:—

"*Resolved*, that ships on the high seas in time of peace, engaged in lawful traffic, are, according to the laws of nations, under the exclusive jurisdiction of the State to which they be-

long, as much so, as if constituting a part of its own dominions; and that, if such ships be cast by stress of weather, or other unavoidable cause, into the port of any friendly power, they are under the same laws, and the persons and property on board, are under the protection of those laws; and further, that the brig, "*Enterprise*," (the slave ship in question,) "having been forced into a port of the *Bermudas*, while on a lawful voyage from an American port, is embraced within the principle laid down in these resolutions, and that the detention of the Negroes on board that vessel, and their subsequent liberation, were in violation of the laws of nations, and unjust to American citizens."

This resolution, though sustained by the unanimous assent of the American Senate, and re-echoed by a similar resolve in the House of Representatives, where the members of the southern delegation still persisted in urging the United States Government to insist upon Great Britain recognizing the principle it involved, and which it so audaciously endeavoured to establish, as an ingredient in the admitted law of nations, could scarcely have been considered as to its apparent object, or with the expectation that any country with a much less regard to the principle that should regulate her intercourse with the other nations of Christendom, should seek to bind Great Britain to a measure of this kind, by which the pretensions of the American slave system was sought to be enforced; a system which is steeped in iniquity and blood, and alone sustained by disregarding every element of natural justice and of right, and which, in its spirit, as in its practice, is alike irreconcileable with every divine and human law, as well the published declarations

that America has herself, so pompously put forward to the world.

It is scarcely possible to suppose, that Mr. Calhoun, who moved this resolution in the Senate,—whom we believe to have been gifted with a reasonable share of common sense, and somewhat of discretion, or his co-members of the Senate, could have hoped to engraft an absurd and wicked proposition of this kind, as an admitted principle in the law of nations, for the purpose of sustaining the every day crimes of the United States. We really think not; but that his proposition sought a very different object—contemplated a widely opposite meaning, and was rather put forward for the purpose of more intimately and effectually identifying the Supreme Government of his country with the question of domestic slavery and the slave trade, and of committing it to the future public support and maintenance of a system, already denounced by nine-tenths of the civilized world, than in the vague and distant expectation that Great Britain, who had made so many and admitted sacrifices in evidencing her sincerity, would hearken to every irrational and ill-timed remonstrance that America might choose to put forth, in her effort to sustain an abhorrent and universally condemned practice, alike opposed to the commonest principles of humanity and justice, or that she would be influenced in her decision—the strict line of duty she is bound to pursue, in relation to slavery and the slave trade, throughout all parts of the world, by the overstrained, or perverted notions

of international law, or of friendly courtesy, which it may reconcile with the assumed, or peculiar interests of the United States to press for her adoption.

A further opportunity occurred in 1842, to again bring forward this question, though under a somewhat different phase, for diplomatic communication between the governments of both countries; in the instance of the American brig Creole, which vessel had cleared from Washington, with a cargo of slaves for Richmond, or some other of the southern ports of the Republic. It appeared, that when at sea, the slaves on board, with that natural and instinctive feeling in the breast of man, to regain his freedom by all, or any means within his immediate effort, rose upon the crew of the Creole, several of whom, with the officers in charge, lost their lives in the struggle, and having captured the vessel, carried her into *Nassau, New Providence*, a British possession of the *Bahama* islands, where they were immediately claimed by the American Government, not only on the pretexts already set up by the United States, but on the further assurance, of their having been guilty of acts of piracy and murder, committed by them on the high seas. The entire circumstances, under these very singular features, were immediately referred by the British Colonial Authorities, to the Home Government; who sustained by the concurrent and unanimous opinion of the highest legal authorities within the realm, justified the acts of the slaves —denied the interpretation of murder, or piracy, as applicable in their conduct, and at once rejected

the application of the American Government for their surrender; and at the same time, directed those slaves, who were under confinement by the authorities at Nassau, awaiting the decision of the Home Government, to be immediately set at liberty.

This interference, or rather non-interference of the British Government, created a very unusual sensation throughout every part of the Republic, more especially in the south; and gave rise to the most violent and angry debates in Congress, adding another ingredient to the already excited feeling of discontent, which had grown up, and threatened a near rupture between both countries:—it was one of the many subjects, pressed upon the consideration of Lord Ashburton, in his recent mission to the United States: but the instructions to this minister, from his Government, on this head, being of the most decided and peremptory kind, precluding even a discussion on the controverted points, or merits of the case, the United States found itself compelled to forego her pretensions—to abandon the ground she had assumed, and to submit with whatever grace she could, to the exposition of international law between both countries in this respect, as insisted on by Great Britain.

Slavery, is at all times a blighting curse, in whatever form it may assume—a violation of the first and sacred principles of our common Christianity—a daring usurpation of the inherent rights belonging to man in his original endowment, most difficult of endurance, but made peculiarly oppressive in

America, where the avaricious bent of the population has tortured every inquiry, and in a manner, exhausted the intellectual faculties of every citizen, in devising means, by which to extort from the bone and muscle of the wretched slave, the extreme measure of labour of which he is capable, at the least possible cost of its production: in which purpose he is also and especially assisted by the many oppressive laws to be found on the statute book of almost every one of the slave States. Miserably clad, and worse fed—dragging with him through life, a wretched and miserable existence, he is compelled to toil without ceasing, and without complaint; for it is only in two states, South Carolina, and Louisiana, that any legal restriction is imposed on the caprice, or mere will of the owner, as to whatever time he may require his slave to work; whose hours for labour are restricted in the former state, to fifteen, in each twenty-four, during the summer months, and fourteen in the winter, or from day break in the morning, until four hours after dark; while the less indulgent law of Louisiana, provides but *two hours and an half* within each twenty-four, for "*slave rest.*" In all other of the slave States, there is no legal restraint imposed upon the slave-owner as to the precise quantum of labour, he may choose to exact from his wretched victim, which is solely controlled by his own caprice, and the exercise of a frequently unsound discretion. The lash and driver's whip, are to him of indispensable use in his daily progress; the avoidance of

which, and the hope to escape the other punishments co-existent with a slave's bondage, is the only incentive held forth to the unfortunate sufferer for his exertion.

We are nevertheless gravely assured of the obverse of all this by every American, especially of the south, though within the knowledge of the many and appalling facts that have so often darkened the pages of American history. They take pains to assure us of the proverbial hospitality—the chivalry and kindness—the urbanity of the southern slave-owner, that would naturally recoil at these excesses; with that selfishness, to which man's nature is generally prone, to reject a proposition, believing him capable of an extravagance of this kind, and that would so essentially militate to his own prejudice—lessen and injure a property which it were his first interest to preserve and carefully watch over; for every slave-owner claims a property, not only in the labour of his slave, but also in his flesh—his *very heart's blood*, and which is described in legal phrase, as "chattels personal."

To some partial extent this inference may be relied on, though far from being applicable in the generality of cases. Man's history is a continual sacrifice of worldly interests to his immediate gratifications. If all, indeed, were to frame their actions according to their individual advantage, folly and vice would no longer co-exist with man in his present state. As we are, the love of money is one of the strong impulses by which man's conduct is

often regulated: but there are other passions still more powerful and besetting, and that too often control and set at nought our best and acknowledged interests.

Yet, because that it is considered to be the mere personal, or pecuniary advantage of the owner to treat his slaves well, and to supply their wants, we are also required to assume, that such is invariably the case, with the evidence of so many startling and recorded facts to the contrary, is certainly exacting too much from our credulity—demanding too great a sacrifice of our more positive conviction. For, to what would it lead? why simply to this: that were the slave-owner solely guided in his treatment to his slaves, by what he might conceive to be his mere personal interests, the lives of many an unfortunate upon his estate—the worn and emaciated —the old and decayed slaves—the maimed and incurably diseased—the blind, deaf and dumb—idiots, lunatics, feeble infants requiring care, who would be no possible gain in continuing at an annual cost upon his property, would very soon be rendered up by him to their "dread account," without apprehension, or the fear of any legal consequence, as an offering to his avarice and cupidity.

Thus it is, that the deductions sought to be adduced of the kindly treatment of the slaves, from the assumed hospitality and benevolent disposition of the American slave-owner, and because that it is considered his *interest* merely, to treat them with

common humanity, are seldom warranted by the realities within our more positive knowledge. To any traveller—to any casual visitant, these facts seldom appear; they are sedulously hid from all outward observance. Even the slave himself, from apprehension of the consequence, or his conduct being always regulated by what he believes to be the wish—the absolute will of his owner, will scarcely dare to utter a complaint, or to express even in subdued tones, the dread severity of his treatment, while fulfilling the ordeal allotted to him by an inscrutable and all-wise Providence. If inquired of, as to his position, he will rather colour his statements with exaggerated accounts of the indulgent kindness of his owner, than risk the truth, which perchance, might recoil with direful vengeance upon himself. It is from the narrative —the circumstantial and corroborative statements of others—of those who have lived for many years in the southern States, in daily observance and communication with this persecuted and oppressed race—of men of standing before the world, and before whose eyes these every-day occurrences have passed in succession, that we can trace with any degree of accuracy, the dark and scowling deeds of this iniquitous system, which disgracing our common humanity, and the age in which we live, calls aloud for the retributive justice of the Almighty's vengeance.

The remarks of Chief Justice Henderson, who was himself a North Carolina slaveholder, are fully

corroborative of these opinions—of the extreme difficulty of ascertaining through the medium of the slave, his real state, or the privations and many sufferings to which he is made subject. These observations of the learned judge, constituted a part of his charge to the jury, in a remarkable case tried before him in 1830. "The State of North Carolina, *v.* Charity," (given in Devereux's North Carolina Reports, p. 543,) in which proceeding, and on refusing to permit a master to give in evidence, declarations made to him by his slave, says of masters and slaves generally:—

"The master has an almost absolute control over the body and *mind* of his slave: the master's *will*, is the slave's *will*. All his acts, all his *sayings*, are made with a view to propitiate his master. His confessions are made, not from a love of truth, not from a sense of duty, not to speak a falsehood, but to *please his master*, and it is in vain that his master tells him to speak the truth, and conceals from him how he wishes the questions answered; the slave will ascertain, or which is the same thing, thinks that he has ascertained the *wishes of his master*, and *moulds his answer accordingly*; we therefore more often get the wishes of the master, or the slave's belief of his wishes, than the truth."

Travellers and occasional visitors, we repeat, especially Europeans, have seldom an opportunity to ascertain from direct inquiry or personal observation of what slavery really is in the United States, or of the dark and murky materials of which it is composed; yet, is there no lack of plain circumstantial evidence on this account—no difficulty in descrying the monster in his native ugliness and

deformity, and recognising it in the characteristic features of true American toleration. The Abolition Societies in the northern and eastern States, comprising some of the best and most worthy of American citizens, have been actively engaged within these few last years in tracing out these excesses—tearing away the veil of secrecy from these misdeeds, and exposing to public gaze the many deformities that continue to deface the national structure, and that have so justly earned for the American people the indignant reproaches of all mankind.

"We will set down nought in malice," saith the American Anti-Slavery Society of New York, in their highly valuable work on 'American Slavery as it is,' in 1839, page 9, "but we will prove that the slaves in the United States are treated with barbarous inhumanity, overworked, under-fed, wretchedly clad and lodged, and have insufficient sleep; that they are often made to wear round their necks iron collars armed with prongs, to drag heavy chains and weights at their feet while working in the fields, and to wear yokes and bells, and iron horns; that they are often kept confined in the stocks day and night for weeks together; made to wear gags in their mouths for hours or days; have some of their front teeth torn out or broken off, that they may be easily detected when they run away; that they are frequently flogged with terrible severity, have red pepper rubbed into their lacerated flesh, and hot brine, spirits of turpentine poured over the gashes to increase the torture; that they are often stript naked, their backs and limbs cut with knives, bruised and mangled by scores and hundreds of blows by the paddle, and terribly torn by the claws of cats drawn over them by their tormentors; that they are often hunted with blood-hounds, and shot down like beasts, or torn in pieces by dogs; that they are often suspended by the arms and whipped and beaten until they faint, and then revived by restoratives, beaten again until they faint, and some-

times until they die; that their ears are often cut off, their eyes knocked out, their bones broken, their flesh branded with red hot irons; that they are maimed, mutilated and burnt to death over slow fires. All these things, and more, and worse, we shall *prove*. Reader, we know whereof we affirm, we have weighed it well, more and worse *we will prove*. Mark these words and read on; we will establish all these facts, by the testimony of scores and hundreds of eye-witnesses, by the testimony of *slave-holders* in all parts of the slave states, by slave-holding members of Congress, and of State Legislatures, by embassadors to foreign courts, by judges, by doctors of divinity—and clergymen of all denominations, by merchants and mechanics, lawyers and physicians; by presidents and professors in colleges, and professional seminaries; by planters, overseers and drivers. We shall shew not merely that such scenes are committed, but that they are frequent: not done in corners, but before the sun; not in one of the slave states, but in all of them; not perpetrated by brutal overseers and drivers merely, but by magistrates, by legislators, by professors of religion, by preachers of the Gospel, by governors of states, by 'gentlemen of property and standing,' and by delicate females moving in the 'highest circles of society.'

"The foregoing declarations touching the inflictions upon slaves are not hap-hazard assertions, nor the exaggerations of fiction, conjured up to carry a point; nor are they the rhapsody of enthusiasm, nor crude conclusions jumped at by hasty and imperfect investigation, nor the nameless outpourings either of sympathy or poetry; but they are the proclamations of deliberate well-weighed convictions, produced by accumulations of proof, by affirmations and affidavits, by written testimonials and statements of a cloud of witnesses, who speak what they know, and testify to what they have seen, and all these impregnably fortified by proofs innumerable, in the relation of slave-holder to his slave, the nature of arbitrary power, and the nature and history of man."

Had this appalling declaration been made on the responsibility of English travellers, or strangers pro-

fessing to give an account of American slavery as it really exists at the present day—the public press of the country—the entire nation, would with one accord re-echo the denial to the furthest extremity of the Republic—proclaim the statement as an extravagant imposition on the public credulity, and fill the air with fierce denunciations against the man, who, reckless of his own safety, might possess sufficient moral courage to lay bare these facts before the world. Neither, we confess, should we ourselves feel disposed to at once give in our adhesion, and attach implicit credence to this revolting statement, on any less authority than that which we now adduce, put forth as it is, under the solemn guarantee of men, *themselves Americans*, possessing every means of ascertaining the full and positive truth, of all they have asserted—whose characters are removed beyond every suspicion, and remarkable amidst the communities in which they live, for their integrity and high moral worth—who have no feelings to gratify—no temporal reward to look for, or ought, but the approval of their own minds, resting in the consciousness of having honestly acquitted themselves to their fellow men, in thus fearlessly seeking the liberation of this large portion of their fellow citizens, from an ignominious and oppressive bondage. Well have they redeemed their pledge, and laid before mankind in plain and intelligible language, and authenticated by every required evidence of its truth, a long and darkened catalogue of crime, unequalled in its

character by the wildest excesses of savage daring and atrocity; at the contemplation of which the heart sickens, and the mind turns away with loathing and abhorrence. It is only in free and enlightened America that such a state of things could possibly exist at the present day—that a system of such foul iniquity and unatoned-for crime, could find abettors in the nineteenth century, without exciting the entire remaining population as one man, to avenge the insults thus daily perpetrated on suffering humanity.

It was in the year 1833, that the Anti-Slavery Society, to which mankind is already so much indebted, first assumed any distinct or decided character. Delegates from nine of the northern and New England states, assembled in the month of December in this year, at the city of Philadelphia, and subscribed a solemn declaration of their principles, which has since been circulated throughout a large portion of the Republic. Since then, societies for the declared purpose of furthering slave emancipation within the United States, have been organized within several districts of the northern and eastern states, forming co-ordinate branches, each radiating from one centre, or parent head at New York. From the efficiency of their measures —their extraordinary individual efforts—the many and personal sacrifices of their members, sustained by the purity and uprightness of their intentions, combined with the sanctity and justice of the cause in which they are engaged, they can scarcely fail to overcome many of the difficulties that have so long

embarrassed their exertions, and to find realised at a future day, their anticipations of success, by which they are cheered in the rugged and dangerous path of duty they are pursuing. Their numbers, when considered in relation to the entire population, are as yet circumscribed; for many, no doubt there are, who in secret condemn slavery, as abhorrent in human practice, yet lack the firmness to openly assert their opinions, or take any active or decided part in this goodly work of human regeneration: besides, the national resources, but more especially their individual interests, possessing at all times a magic influence on the mind of every American, are, as they contend, commingled with these abuses, and depend to a great extent upon their continuance:—for it is an acknowledged fact—a remarkable truth in the business transactions of the country, that to slave labour, has America, free, liberal, and just, as her friends would wish to consider her, been mainly indebted for whatever of prosperity she has enjoyed, as also, for her means of export, of many of the articles of her home production, which secures the comparative affluence and comfort of a large portion of her citizens.

The commercial division of the United States, may be said to separate her into two great sections; the north, comprising within its limit whatever of manufactures she possesses — the south being restricted to the raising from the sweat, sinew, and industry of her slaves, the cotton, sugar, rice, tobacco, and other indigenous products of general

export and consumption, with which she has increased her means and internal wealth, and advanced in whatever of commercial prosperity hitherto secured to her population. The resources of the northern and eastern states are, on the other hand, more circumscribed, though far exceeding all other parts of the Republic in the extent of their foreign imports, that supplying the wants and providing for the luxuries and comforts of their citizens, are paid for from these means, the product of slave industry —of slave labour and exertion; and that presents a somewhat novel position, in the anomalous condition of these states, holding in one hand, their Declaration of Independence—their "Bill of Rights," asserting the principle, that "all men are born equal, endowed with certain inalienable rights—that among these are *life, liberty, and the pursuit of happiness*," while brandishing the slave whip, the chains of *two millions, seven hundred thousand* of her own citizens in the other, and drawing from their loins, and extorted industry—from their very life-blood, the luxuries and individual comforts—the wealth and pecuniary resources of the country. Surely no nation, whatever may be its temporary prosperity, can long endure by such means, or hope to ward off, beyond a short-lived season, the retributive consequences of the many enormities with which they are thus chargeable.

The discussion of the general question of slave emancipation, that until this late organization of the Abolition Society, was seldom permitted to disturb the public ear, was now no longer confined to the

few, who in the northern and eastern states, struggled for its attainment. Their example extended its influence to the remotest district of the western country, where the subject of domestic slavery became an exciting topic of debate and general conversation, causing unusual apprehension to the south, where public meetings were everywhere held, uttering fierce denunciations against the northern fanatics, as the abolitionists were called. The utmost alarm had seized upon the entire white population of the slave states, who considered this movement as an unwarranted aggression—an unjust war upon their individual properties and vested rights. A non-intercourse rule in all mercantile dealings was in consequence strictly enjoined, as a precautionary measure of public safety; at the same time, that a price was marked out, and set upon the heads of the most prominent of the abolition party, that offered direct encouragement, in large pecuniary rewards, to little short of their secret assassination. Whenever an advocate of emancipation could be found in any part of the south, the "Code Lynch" was immediately enforced in his summary punishment. Property was only partially respected —outrage succeeded outrage, under the pretext of checking some apprehended insurrection of the unfortunate slave; whilst one murder was the pretence for the committal of a second, which was again the precursor of others, that nearly outnumbered calculation. Private rights were unjustly intruded on, the constituted laws being everywhere unequal to their protection. Even the sanctity of the

public post-offices was invaded, and these establishments, created for the public accommodation, forcibly broken open and rifled of their contents, to intercept any abolition tracts or "incendiary papers," as such were termed, that they might contain; and this, done with the sanction, at least with the connivance, of the Supreme Government, that deemed it safer to applaud the outrage, and identify themselves with the proceedings, than contend in the dangerous principle, of asserting the supremacy of the laws, and enforcing by their authority, the inviolability of the institutions of the country. A check was for a while given by these means, to the dissemination of liberal opinions, at least through the medium of the public press; the circulation of any papers from the north or west, advocating the principles of slave emancipation, for the south were unanimous in their resistance, was at once interdicted by this most arbitrary censorship, that controlled the expression of public opinion, and limited, by this encroachment on the public rights, the declaration of friendly sympathy in favour of the wronged and cruelly oppressed negro.

The outrages at Charleston, South Carolina, in the year 1835, that succeeded, were strictly of this character, and either indicate with what evident reluctance the Executive Government of the country have ever ventured upon the execution of the most important of its duties to the nation, or else, its entire incapacity to sustain the laws in their just and impartial administration, if compelled, in doing so, to oppose itself to any organized opposition of any set

number of American citizens, determined to take those laws into their own keeping, and to set the delegated authority of their rulers at defiance.

It appears that a perfectly fair and licit advantage had been taken of the United States mail, to forward in the usual course, the papers or pamphlets of the Northern Abolition Society, to their friends and correspondents in some of the southern states. This circumstance, which in itself was a perfectly legitimate one, by some secret or covert means became known, when the fact was immediately communicated to the public, in the following notice in the *Charleston Courier.*

"*Incendiary Publications.*—The United States mail brought, yesterday, by the mail packet Columbia from New York, came to hand filled with incendiary papers and tracts, intended for circulation throughout the southern and south-western section of the Union. It is certainly a monstrous abuse of this national convenience that it should be converted into an instrument or means of assault on southern institutions, and a repetition of it will so influence public indignation, as to render the United States mail unsafe, at least in this quarter. If no measure of prevention be within the competency of the post-office authorities, a remedy may, nevertheless, be found within ourselves, in the refusal of those to whom these incendiary papers come addressed, to aid in their circulation. We understand that the South Carolina Association had a meeting on yesterday, in reference to this subject, and have issued a

circular to the post-masters of the south and south-west, apprising them in anticipation of the incendiary stuff of which they were to be made the dispensers."

A match was thus applied,—a petard was thus thrown among the combustible and already excited materials, of which southern society in America is usually composed; which, as might be anticipated, led to an immediate attack on the Charleston Post-office. The Charleston Courier, a leading organ of the south, disposed of the matter in the following brief account which it published on the occasion.

"*Attack upon the Post-office.*—The recent abuse of the United States mail to the purposes of disseminating the vile and criminal incendiarism of northern fanatics, has caused a great and general excitement in our community, and led, on Wednesday night, as may have been expected, to an attack on the Post-office, which perhaps though not to be justified, has much to excuse it in the cause of provocation.

"Between the hours of 10 and 11 o'clock on that night, a number of persons assembled about the Exchange, and without any noise or disturbance, but on the contrary, with *coolness* and *deliberation*, made a forcible entry into the post-office, by wrenching off one of its windows and carrying off the package containing the incendiary matter.

"We trust that this proceeding will tend to open the eyes of our northern friends to the necessity of some energetic step to prevent the unwarrantable and criminal interference of northern fanaticism with southern interests, and even induce our northern enemies to pause in their work of reckless mischief."

Modern outrage, we believe, has seldom on such slight pretexts, been found to equal in its violence this infraction of the laws and of all social order, not so much the work of incendiarism, or the sudden

outbreak of an easily excited population—but the result of a cool and deliberate resolve of the "sovereign people," to uphold by this unprovoked and unwarranted assault upon popular rights, the assumed prerogative of a distinct and separate class of their fellow citizens—sanctioned, it is true, in the act, by the local authorities, and sustained by the direct countenance and support of the more influential inhabitants of their city. These proceedings were immediately followed by the destruction of all the papers, newspapers, documents, &c. thus feloniously abstracted from the Government-office; which, in pursuance of an extensively published notice, were taken out on the following evening, and publicly burnt in front of the main guard, and in the presence of several thousand persons, who were witnesses of the ceremonial. But the conduct of these modern peace-preservers did not end here; for, in some few days afterwards, on the 3rd of August following, a large public meeting was held at the City Hall, in Charleston, at the call of the *City Council*, "to sanction the entire proceedings, and to appoint twenty-four citizens, to take charge, from thenceforth, of the United States mail," (away, be it remembered, from the control and custody of the Supreme Government of the country,) "and at a future meeting to report the further means best adapted to put down the abolitionists." "We have not at hand," (reports the Charleston Courier,) "a list of the committee appointed for this purpose, but suffice it to say, it is headed by *Senator Hayne*,

and composed of the *mightiest men in Charleston.* They have already, (in pursuance of the trusts confided to them,) quarantined the mail steam-packet, and established a regular 'censorship extraordinary.'"

We present the foregoing, as a somewhat faithful portraiture of the morbid state of feeling, that continues unabated to the present day in the south, on the exciting question of slave emancipation, and the determination of the entire people of these states to resist to the utmost any interference with what they so audaciously assert to be their "vested rights." Yet, what, will it be supposed, was the first act of the Supreme Government on this occasion—bearded in its authority, and set at defiance? or did it condemn this lawless intervention—assert the dominion and supremacy of the laws—enforcing their due observance, by punishing with severe chastisement the actors in this exhibition? By no means; instead of entering on this first and necessary duty, they shrunk appalled from the responsibilities of their situation—became accessaries after the fact—promoters of anarchy and crime, by their example, and the direct encouragement which they afforded to the Charleston rioters, conveyed to the post-master of that city, in the letter of instructions in relation to these outrages, from the Honorable the Post-master General, Amos Kendall, and who, by virtue of his office, was a member of the United States cabinet. The letter, as proclaiming the opinion and conduct of the Supreme Government, is worthy of some notice.

"*Post Office department, Washington.*

"To the Post-master, Charleston, S. Carolina.

"SIR,—In your letter of the 29th just received, you inform me, that by the steam-boat mail from New York, your office had been filled with papers and tracts upon slavery—that the public mind was highly excited upon the subject, that you doubted the safety of the mail itself out of your possession—that you had determined, as the wisest course, to detain these papers, and you now ask instructions from this department.

"Upon a careful examination of the law, I am satisfied that the Post-master General has no legal authority to exclude newspapers from the mail, nor to prohibit their carriage or delivery on account of their character or tendency, real or supposed. Probably it was not thought safe to confer on the hands of the executive department, a power over the press, which might be perverted and abused.

"But I am not prepared to direct you to forward or deliver the papers of which you speak. The Post Office department was created to serve the people of *each* and *all* of the United States, and not to be used as the instrument of their destruction. None of the papers have been forwarded to me, and I cannot judge for myself of their character or tendency. But you inform me that they are in character the "most inflammatory and incendiary—and insurrectionary in the highest degree."

"By no act or direction of mine could I be induced to aid knowingly, in giving circulation to papers of this description directly or indirectly—we owe an obligation to the laws—but a higher one to the communities in which we live, and if the former be perverted to destroy the latter, it is patriotism to disregard them. Entertaining these views, I cannot sanction, and will not condemn the step that you have taken.

"Your justification must be looked for in the character of the papers detained, and the circumstances by which you are surrounded.

"Your obedient, humble servant,

"AMOS KENDALL,

"Post-master General."

And this, in a country that still vaunts itself free, and advanced in general civilization—a country that we are told is sustained by the moral force and efficacy of the laws, upheld by public opinion, and the voice of an entire people; which presents an example, in its peculiar and happy form of government, to all other nations for their guidance and imitation. In what other country under Heaven could similar excesses occur, and its government, either through apprehension of its incapacity—its puerile weakness, or from its diseased notions of what is due from the executive of a people, to the proper sustainment of the laws they are called upon to administer, become themselves, in fact, the promoters—the declared abettors of outrage such as this, that can receive no apology—no possible sanction from any assumed or positive necessity that may be said to have justified it.

"We owe an obligation to the laws," quoth Mr. Kendall. Aye, truly!—but lest the measure of his allegiance, or those of the Government whom he represented on this occasion, should be misunderstood, even for an hour, he takes excellent care to explain, that his adhesion is of that malleable and ephemeral kind, which is only to be depended on, so long as these laws, (and without waiting for their alteration or amendment, if bad, or unequal to the ends originally proposed in their adoption) may exempt from their interference, the sportive tricks of some such outbreak as his letter speaks of, of these or any other class of citizens, that either

he, or his co-adjutors in the government may take under their especial guardianship and protection. Most excellent citizen, and true republican!—most wise and upright minister! It is in your school of ethics, that mankind should from henceforth receive their first rudiments—their early instructions, and consummate their knowledge of political science:—it is from your ranks, indeed, that the turbulent, the sanguinary, and lawless dispensers of the "Lynch-law" code, should from henceforth be selected, for they too, acknowledge a "*higher obligation to the communities in which they live;*" and when the majesty of the laws, framed for the better regulation—the order and well-being of society are to be outraged and set at nought, deem it, upon their part, equally "*patriotic to disregard them,*" seeking also their "*justification in the character,*" and nature of the transactions with which they have to deal, and the "*circumstances*" by which no doubt they, in like manner, "*consider themselves surrounded.*" The letter of Mr. Kendall is, to say the least, a miserable subterfuge—a wretched piece of casuistry and shuffling, discreditable to his patrictism and judgment, and highly disgraceful to the Government of which he formed a part—and of whose sentiments and opinions, in this instance, he was the faithful echo.

The question is often, and not inaptly asked, who, or what, is the Government of America—what its complexion—where its locality, and what its influence on society? The answer is obvious, and may

with truth be comprised in the assurance which represents the supreme power within these States as confided to the very populace—the licentious and unrestrained mobocracy of the country—the democratic many, who (as in this instance) usurp its functions—restrain its entire action—frame laws according to their own peculiar and diseased fancy, and riot in the uncontrolled excesses of almost every abuse. Their preponderating numbers, amidst the general population, has given to this class of citizens an almost undisputed authority, which they generally exercise with an unreasonable and arbitrary control over the conduct and actions of the more moderate and reflecting portion of the community, who are seldom heard in the public voice, or represented in the public councils. To make war against this organization, is to make war against oneself—to subject one's fire-side to every insult—to risk one's peace, and possibly to endanger one's life. Thus it is, that we find so few men in the United States really fitted from talent, honesty, or independent means, interfering in the unceasing struggles of party for political supremacy, or stepping aside from their daily business pursuits, to influence public opinion to any legitimate or useful end; but, on the contrary, avoiding all questions of political strife, even when their positive interests are concerned—choosing rather to adopt this course—to submit to its inconvenience, than become subject to the greater evil to be apprehended from such interposition. The Executive Government (as in the late instance of

the Charleston rioters) is the re-echo of the mere will of this (the democratic) party, and possesses but a nominal authority in the enforcement of any measure of public utility, or that might be deemed essential to the public safety and welfare.

The state of excitement which the proceedings at Charleston had occasioned, gave a fresh impulse to many of the nearly obsolete statutes that reflect upon southern legislation, which were now more rigidly enforced than ever—education, and whatever of instruction that could at all enlighten or improve the mind of the unfortunate negro, or raise him in the scale of human civilization, was, as it still is, prohibited under severe penalties. More than ordinary efforts were made to prevent all intercourse between the slaves, who were interdicted meeting in their churches, or usual places of worship on the sabbath, and holding communion with their God in common, or from receiving religious instruction on the only day, on which there was any cessation from their bondsman's labour. An appeal was also made to the Northern States, in which they were called upon to put down, *id est*, to exterminate the "sanguinary fanatics," who desecrated their soil, and were still resident among them, whose prayers, on the other hand, were "peace and good will to all men." They were also required, in language that amounted to little short of actual command, to cease all further discussion, either at public meetings, or through the press. Nay—it was even demanded of the governments of the Northern and

Eastern States, that the *mere expression of opinion*, on the justice or propriety of slave emancipation, within their separate jurisdictions, should be made punishable by clauses to be inserted in their criminal code; at the same time, that this unreasonable and extraordinary requirement was endeavoured to be exacted, under a threat, in the event of non-compliance, of a *speedy dissolution of the Union*, by the entire separation of the Southern or Slave-holding States from the confederacy; in some of which the grand juries found "true bills" of indictment against the leaders of the Abolition Society, on charges of treason; and even proceeded so far as to call upon the Governors of those States in which they resided, through the Federal Executive, to surrender and deliver them up to justice, as amenable to Article 4th, sec. 2nd, of the United States' Constitution.

Nevertheless, the cause of all this strife is a holy and a just one, and in despite of the alarm and frenzy of the south, and the virulent and sanguinary opposition with which it has to contend, in its hourly progress, has still made advances in the mind of every honest and reflecting man, and where exaggeration—habit—early prejudice, or the more persuasive influence of individual interests are not permitted to interfere—upon the public sympathy in general.

CHAPTER II.

The Slave removed beyond the protection of all law—Considered merely as chattels personal—Denied the safeguard of Jury trial—Penal laws of South Carolina and other Slave States—Governor M'Duffie—His annual message to the Legislature of South Carolina—Remarks of Thomas Jefferson on Slavery—Extent of Slave population of the United States—Average term of Slave life—Foreign contraband trade with the United States—Annual import of Slaves—Breeding and rearing Slaves for traffic—Charge against the Honourable Mr. Stevenson, late United States Minister in London, with his disclaimer—Virginia a Slave-breeding State—Kidnapping and sale of free coloured Citizens—Slave Trade of America, menacing its future integrity—The practicability of its immediate abolition considered—The difficulties with which it is beset—Recklessness of Slave proprietary as to consequences—Wealth and Resources of the North and South relatively considered—Means suggested for the entire suppression of Slavery within the United States.

THE transgressions of the United States against human liberty are so numerous, that we should extend the detail to an unusual amplitude, were we to assume the task of placing before the reader, the numerous records with which its history abounds. The laws against the persecuted Negro, are of the most sanguinary and penal kind, with but little of sympathy or kindliness in his general treatment, to reconcile him to their observance, or to ensure on

every occasion, that abject submission, that is sometimes exacted from him, at the sacrifice and cost of human life. He is placed beyond the protection of all law, his individual rights being altogether abrogated, or vested in his owner, as mere personal property, belonging to him. According to the present Slave code of South Carolina, and to which the laws of the other Slave States assimilate, the criminal offence of assault and battery, cannot at common law, be committed on the person of a slave. For, notwithstanding, for *some* purposes a slave is regarded in law, as a *person*, yet, generally, he is mere *chattel personal*, and his right of personal protection, belongs to his master, who can maintain an action of trespass for the battery of his slave.*

There can then, be no offence against the state, for an assault, or mere beating of a slave, unaccompanied by any circumstance of cruelty, or an attempt to kill and murder. The peace of the state is not thereby broken; for a slave is not generally regarded, as *legally capable of being within the peace of the State.* He is not a citizen, and is not in that character, entitled to her protection.

Slaves are also deprived of the safeguard of Jury trial, and in nearly all of the states, are excluded

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* "Slaves shall be deemed, sold, taken, reputed and adjudged in law, to be *chattels personal* in the hands of their owners, and possessors, and their executors, administrators, and assigns, to all intents, constructions, and purposes whatsoever."

Laws of South Carolina, 2 Brev. dig. 229, Prince's Digest, 446. Similar laws are in force in most of the Slave-holding States.

from giving evidence against any white person, either in civil, or criminal cases;* and as far as their bodies are concerned, are placed at the mercy of those, who claim it as their property and right, and who, under a variety of circumstances, pointed out by the laws, may even *deprive them of life.* Thus, if a slave is outlawed for running away—absconding and quitting his master, and lurks, it may be, in the swamps—the neighbouring plantations, or elsewhere, all persons *have a free license to kill him.*† The same laws grant the same license to the master, to *kill* his slave, if he resist him. The judges of South Carolina have long since decided this point of law, to contemplate, not only actual resistance to punishment, but, however unjustly awarded, on the part of the slave, but also, *offering* to resist.‡

The principle has also been well established in other Slave States; for we find it especially laid down in Devereux's South Carolina Reports, 263, in the case of the "State, *v.* Mann," in the year 1829, in which the Supreme Court decided—"that a master who shot at a female slave, with intent to kill, and wounded her, because she got loose from him when he was flogging her, and started to run from him, *had violated no law*, and could not be indicted."

Also, a slave, endeavouring to entice another slave to run away, if provisions, &c. be prepared for the

* Stroud's Sketch of the Laws of Slavery, p. 65.

† Haywood's Manual of the Laws of South Carolina, p. 521.

‡ Stroud's Sketch, p. 57.

purpose of such running away, shall be punished with death. And the slave, who shall aid the slave, so endeavouring to entice another slave to run away, shall also suffer *death.**

Another South Carolina law declares, that if a slave shall, when absent from the plantation, refuse to be examined by *any* white person, (no matter how drunk or sober he may be) such person may seize and chastise him; and if the slave shall strike such white person, such slave may be *lawfully killed.*†

There is no redress as against a white man, for any of the excesses that in the plenitude of an unjust and arbitrary power, he may choose to inflict on the wretched Negro; but let the victim of his wild caprice, but raise his arm in his own defence, against this positive usurpation of his "inherent rights," and the severest penalties of the law, are immediately enforced in his summary punishment.

The laws of Georgia, as indeed the laws of every other Slave State, with very little variation, carry out the same principle, and declare—"If any slave shall presume to strike any white person, such slave shall, upon trial, and conviction before the justice, or justices, suffer such punishment for the first offence, as they shall think fit, not extending to life or limb, and for the second offence—death."‡

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* Laws of South Carolina. Stroud's Sketch, 103-4. Brevard's Digest, 233 and 244.

† Brevard's Digest, 231.

‡ Prince's Digest, 450.

In South Carolina, death is also made the punishment of the second offence, though if a slave "die," under what the law may term "moderate correction" of his master, the said master is exempt from all legal penalties on account of his death. So indeed saith the law—the humane and considerate law of free America, proclaiming to the fierce unbridled passions of a cruel and remorseless slave proprietary, an entire impunity for murder, under its most revolting features. Yet, is it in such language that the slave code of the United States is written—steeped in blood, and enforced under the lash—the torture and *death* of its wretched victim.

The foregoing are some of the higher grades of crime, in the multiplied catalogue held before the slave to regulate his conduct:—the following, on the other hand, may be classed among the venial transgressions for which he is also punished.

If more than seven slaves are found together, in any road, without a white person—twenty lashes a piece.

For visiting a plantation, without a written pass—ten lashes.

For letting loose a boat from where it is made fast—thirty-nine lashes for the first offence; and for the second, shall have cut off from his head, one ear.

For keeping, or carrying a club—thirty-nine lashes.

For having any article for sale, without a ticket from his master—ten lashes.

For travelling in any other, than "the most usual and accustomed road," when going alone to any place—forty lashes.

For being found in another person's negro quarters —forty lashes.

For hunting with dogs in the woods—thirty lashes.

For being on horseback, without the written permission of his master—twenty-five lashes.

For riding or going abroad in the night, or riding horses in the day time, without leave, a slave may be whipped, cropped, and branded in the cheek with the letter R, or otherwise punished, not extending to *life*, or so as to render him unfit for labour. The same laws extend throughout all the Slave States.*

The statutary regulations of these States press with marked and peculiar severity upon the Mulatto, and free Negro, who, though recognised as American citizens, are frequently made subject to the severest exactions, and by an arbitrary and tyrannic rule, are often "sold to bondage" under the mild and equitable dispensation of American justice. They are generally manumitted slaves, or else the descendants of such as have purchased, or obtained their freedom in former years. Scattered over the Republic, they scarcely number beyond 380,000,

* The laws referred to, may be found by consulting 2 Brevard's Digest, 228, 243, 246; Haywood's Manual, 78, chap. 13, pp. 518, 529; 1 Virginia revised Code, 727; 3 Prince's Digest, 454; 2 Missouri Laws, 741; Mississippi revised Code, 371.

including young and old of both sexes. Their being permitted to reside in any of the Slave States is generally conceded to them as a matter of favour, rather than of right, belonging to them as American citizens; at the same time, that a residence therein is surrounded by so many vexatious and annoying conditions, that but very few make this election. A coloured man in any of these States, may at all times be called upon by any of the white population to substantiate, by legal proof, his right to his freedom; and in default of his doing so, he is liable to be sent to prison, to remain until he is able to adduce such evidence, or until his jail fees may happen to accumulate, when he is *sold to defray the amount.*

The General Congress, possessing exclusive control over the slave District of Columbia, have sanctioned laws within their jurisdiction, of a character with the statutary provisions of the other Slave States, and which provide, that every free Negro, whether male or female, who may come to the city of Washington to reside, shall, within thirty days, exhibit to the Mayor *satisfactory* evidence of his or her title to freedom, to be recorded, and shall enter into bonds with two freehold securities, in the penalty of five hundred dollars, conditional on his or her good conduct, that they will not become chargeable to the corporation for the space of twelve months.—The bond to be renewed every year for three years: on failure of this, he or she must depart the city,

or be committed to the workhouse, not exceeding twelve months in any one imprisonment, and all Negroes found residing in this city, (the capital of this model Republic), after the passing of this act, who shall not be able to establish their title to freedom, except such as may be hired, shall be committed to the jail as absconding slaves. By this iniquitous law, colour is made a crime, which first robs citizens of their unalienable rights, and is then taken as evidence, that they are slaves. The result is, that free citizens are frequently arrested in the streets and public ways, or taken from their own houses– plunged into prison, and then sold for jail fees for life.* In 1829, Mr. Minor declared in Congress, that in 1826, or 1827, no less than five persons, within his knowledge, were thus sold in the city of Washington. Notices of such sales are frequent—we present the following as a specimen : —

" *Notice*—Was committed to the prison of Washington county (District of Columbia) on the 19th

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* Slave-trading in this city (Washington) is even made a matter of revenue and considerable profit to the district. The following may be found among the city ordinances :—

" For a license to trade and traffic in Slaves for profit, whether as agent, or otherwise, *four hundred dollars*. The Registrar to deposit all monies received from taxes imposed by this act to the credit of the canal fund."—From an act, entitled an act, to provide a revenue for the canal fund—approved in Congress of the United States, July 28, 1831. City Laws, page 249.

day of June, 1834, as a Runaway, a Negro man, who calls himself *David Peck;* he is 5 feet 8 inches high—had on, when committed, a check shirt, linen pantaloons, and a straw hat. *He says he is free,* and belongs to Baltimore.

"The owner or owners (*if any*), are hereby requested to come forward—prove him, and take him away, or *he will be sold, for his prison and other expenses, as the law directs.*

"JAMES WILLIAMS,
"Keeper of the prison of Washington Co.
"(D. C.) for Alexander Hunter,
"M. (D. C.)"

Also, from the Mobile Register, June 31, 1837, as follows:—

"*Will be sold cheap for cash,* in front of the County Court House of Mobile County on 22nd day of July next, one *Mulatto man,* named *Henry Hall,* who says *he is free.* His owner, or owners, *if any,* having failed to demand him, he is to be sold, according to the statute in such cases made and provided, to *pay jail fees.*

"WILLIAM MAGHEE, Sheriff, M. C."

Similar advertisements are frequently to be met with in the papers of all the Southern States, attesting a practice that has become notorious to every citizen of the Republic; notwithstanding which, and the irrefragable evidence on record of the cold-hearted and blood-stained cruelty of the American towards the unhappy slave, over whom he claims to

exercise an almost unlimited control, there are still many, who with a strange perversity of vision —with minds so altogether vitiated—so impenetrable to every advance of the least charitable and Christian feeling, are altogether insensible to these enormities, and incapacitated from forming any correct judgment on matters of this consideration; who are still ready to assert before the world, the improved condition of the wretched Negro, under the curse and malediction of a perpetual bondage; and that such, in fact, is only commensurate with his capabilities of rational enjoyment. These men have even the audacity to turn to the sacred Scriptures, and with impious daring to quote from its records in their justification.

"*No human* institution," declares Governor M'Duffie, in one of his late messages, in opening the Sessions of the State Legislature of South Carolina, "is more manifestly consistent with the will of God, than domestic slavery; and none of his ordinances is written in more legible characters, than that which consigns the African race to this condition, as more conducive to their own happiness, than any other of which they are susceptible, whether we consult the sacred Scriptures, or the lights of reason, we shall find these truths as abundantly apparent, as if written with a sunbeam in the heavens. Under both the Jewish and Christian dispensation of our religion, domestic slavery existed with the unequivocal sanction of its prophets, its apostles, and finally, its great Master. The patriarchs themselves, those chosen ministers of God, were slave-holders.

"Let not, therefore, the misguided and designing intermeddlers who seek to destroy our peace, imagine that they are serving the cause of God, by practically arraigning the decrees of Providence. Indeed it would scarcely excite surprise, if with the impious audacity of those who projected the Tower of

Babel, they should attempt to scale the battlements of Heaven, and remonstrate with the God of wisdom, for having put the mark of Cain, and the curse of Ham, upon the African, instead of the European.*

"If the benevolent friends of the black race would compare the condition of that portion of them, which we hold in servitude, with that which still remains in Africa, totally unblest by the lights of *civilization* or *Christianity*, and equally destitute of hope and happiness, they would be able to form some tolerable estimate of what our blacks have lost by slavery in America, and what they would gain by freedom in Africa. Greatly as their condition has been improved by their subjection to an enlightened and *Christian* people, the only mode under heaven by which it could have been accomplished, they are as yet wholly unprepared for anything like a rational system of self-government.† Emancipation would be a positive curse, de-

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* It were well that this erudite expounder of the Divine Will should add to his scriptural reading the following passages of the Word of God:—

"All things, whatsoever ye would that men should do unto you, do ye even to them, for this is the law and the prophets."

"And they sighed by reason of the bondage, and they cried, and their cry came up unto God by reason of the bondage, and God heard their groaning."

"Thus saith the Lord, execute judgment in the morning, and deliver him that is spoiled out of the hands of the oppressor, lest my fury go out like fire, and burn that none can quench it, because of the evil of your proceedings."

† Yet how very soon the obverse of all this is made manifest the moment that a favoured child of this free republic should perchance take it into his resolve to convert the bone and flesh of his less fortunate fellow citizen into "filthy lucre." The intellectual capacity—the industry and general aptitude of the slave is, then, no longer questioned. The natural improvidence of his race becomes a wild and unsettled fancy, irreconcilable

priving them of a guardianship essential to their happiness; and they may well say, in the language of the Spanish proverb, —'Save us from our friends, and we will take care of our enemies.'"

The D—l, it is said, with what truth, we shall leave to more practised controversialists, than we

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with his habits and general conduct, whilst he is held forth as the beau ideal of nearly all that we may look to, to constitute a good and valuable citizen, in his humble and unobtrusive station in society, as pourtrayed in the following, taken from a New Orleans paper, being of the character of many other such advertisements published throughout the various Slave States:—

Auctions.

"Charles Byrne being about to discontinue his saw mills, offers the following slaves at public auction:—

"*Black Abraham*, aged about 23 years; good for common work, and is a good rough cook. He is *a well disposed boy*, of *good character*. He is fully guaranteed, with the exception that he does not see well at night; his sight is perfect during the day time.

"*Ned*, aged about 33 years, is a first rate hand with an axe or cross-cut saw, and is *a remarkably hard-working, steady man*; he is fully guaranteed.

"*George*, aged about 28 years, is a good sawyer, and a first-rate hand about a saw mill generally; he is somewhat of a shoemaker, and has been accustomed to run a steam engine; he is a *steady, good*, and *well behaved man*, and is fully guaranteed.

"*Sarah, wife to George*, aged about 20 years; with her *child Mary*, aged about 11 months; she is *very orderly* and *quiet*.

"*Lucy*, aged about 31 years, is a *good servant, washer and ironer*. Also *Mary* her *daughter*, aged about 12 years—a *remarkably fine girl—good disposition*—accustomed to wait on the table, and attend the house generally.

are, to determine, will sometimes quote Scripture for his purpose, and by affecting orthodoxy, lead us onward with more certainty to our destruction. The impious effrontry of Governor M'Duffie, savours pretty much of the same hypocritical cant—the same perversion—and offends our judgment by the monstrous proposition he has asserted—the revolting principles he has so audaciously put forward for the approval of mankind, in this memorable published manifesto, responded to with a faithful echo by every American of the true democratic school—by every patriot of the south, who, estimating the privileges of his caste, will not tolerate the idea of slave emancipation at any period, however remote—on any conditions, however reasonable—or of pecuniary or personal considerations, however advantageous they may be. It is but justice to the northern and eastern States, to explain, that the language of this defamer of human nature—this privileged reviler of the just and wise dispensations

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" *Hannah*, also *Lucy's daughter*, a remarkably fine healthy child of 2 years of age.

" *Adelaide*, aged about 28 or 29 years, is a *good cook*, and *first rate* house servant, and *nurse for a sick person*. She is remarkably capable and active.

" *Bill Pitt*, aged about 28 years, is a *remarkably steady, honest boy*, is an excellent hand about a saw mill, and for work generally; he is a good ostler, and perhaps one of the best train drivers in the city, being well known as a driver for the late Mr. W. C. Wittens, and for the present owner; is fully guaranteed."

of an omnipotent Providence, should have obtained no sanction or general countenance among their citizens, who received his message with somewhat of apprehension of future excesses being committed in the south, in the frenzy of supporting these, and such like extravagant opinions, than acquiescing in the irrational and speculative notions—the assumed or imaginary truths it so impiously asserted.

It is well befitting this modern theologian, from the eminence of his temporary situation, to become the champion, and assert, in the official promulgation of his annual message, the antiquity and assumed advantages of the African and domestic slave trade to its miserable victim; while concealing from the world the wickedness and crime, of which it is the parent—and of which Governor M'Duffie, at the time, had been well aware—of the enormities committed under its sanction, even within the limit of his own jurisdiction—the profligacy and vice coëval with its existence—the many and deep atrocities, that, subjecting human credulity to a severe and anxious test, almost defy belief; with the torture, maiming, and murders; with the perfect immunity always extended to the murderer, as of its most faithful characteristic. Oh, no—Governor M'Duffie must have well known these facts, so often bared before the world, whilst he is accused of having lent himself to the dissemination of opinions, to which he individually attached no importance, but with a design, that if failing to secure an entire immunity to his fellow country-

men, to at least succeed in palliating the excesses with which they stand charged before mankind.

In asserting the relative merits of the slave—his unfitness for freedom, and incapacity for all rational enjoyment—Governor M'Duffie would appear to have lost sight of the many thousands of American Negroes, born, reared, and continued in the bosom of his own and adjoining States, to whom he can scarcely mean his strictures should apply; whose blood, however repugnant the fact may be to our notions of morality and all modern refinement, has often been commingled with his own favoured race, producing that variety of shades and colours, that has nearly outnumbered every reasonable calculation, and diversified the human species from the black and brilliant jet of the African Sambo, to the delicately white Mustee of the south. Such intercourse is not only frequent, but encouraged in every possible way, particularly in the slave-breeding states of Virginia, Maryland, &c. where positive and unusual incentives are invariably presented to the white male by the slave proprietary, in abetting this illicit and abominable intercourse—the mixed offspring of this depravity, invariably commanding a much higher price in the slave market than any other.

We are gratified at being enabled to place on record against the unseemly declamation of this southern slave-dealer, the more sensible and dispassionate evidence of Jefferson, the great Father of American democracy, who, to a vigorous and

observing mind, united an intimate knowledge of mankind—an ardent love of country that secured for his opinions the respect and admiration of all classes of his fellow countrymen.

"There must doubtless be," observed this eminent statesman, "an unhappy influence on the manners of our people, by the existence of slavery amongst us. The whole intercourse of master and slave, is a perfect exercise of the most boisterous passions, the most unremitting despotism on the one part, and degrading submission on the other. Our children see this, and learn to imitate it; this quality is the germ of all education in him. From his cradle to his grave he is learning to do what he sees others do. If a parent could find no motive in his philanthropy, or his self-love, in restraining the intemperance of his passions towards his slave, it should always be a sufficient one that his child is present. But generally, it is not sufficient. The parent storms; the child looks on, catches the lineaments of wrath; puts on the same airs in the circle of small slaves; gives a loose to the worst of passions, and thus nursed, educated, and exercised in tyranny, cannot but be stamped by it with odious peculiarities. The man must be a prodigy who can retain his manner and morals undepraved by such circumstances, and with what execration should the statesman be loaded who permitting one half the people to trample on the rights of the other, transforms those into despots, and these into enemies, destroys the morals of the one part, and the love of country of the other. For if a slave can have a country in this world, it must be that in which he is doomed to live and labour for another, in which he must lock up the faculties of his nature—contribute, as far as depends on him, to the enslavement of the human race, or entail his own miserable condition on the endless generations proceeding from him.

"With the morals of the people their industry is also destroyed; for in a warm climate no man will labour for himself who can make another labour for him. This is so true, that of the proprietors of slaves, a very small proportion indeed, are ever

seen to labour. And can the liberties of a nation be thought secure, when we have removed this only firm basis—a conviction on the minds of the people, that their liberties are the gifts of God?—that they are not to be violated, except with his wrath? Indeed, I tremble for my countrymen when I reflect that *God is just;* that his justice cannot sleep for ever; that considering numbers, nature and natural means only, a revolution of the wheel of fortune, and an exchange of situations, is among probable events; that it may become probable by supernatural interference. The *Almighty has no attribute that can take part with us in such a contest.* But it is impossible to be temperate and pursue this matter through the various considerations of policy, of morals, of history, natural and civil; we must be contented that they will force themselves into every one's mind."

This extract from the writings of President Jefferson, who lived and died a slave-holder, and whose offspring is said to have been actually sold in the markets of his native State, would have done more honour to the head and heart of its distinguished author, had he regulated his practice more in accordance with his declared principles, and the morality which he so eloquently inculcates. The lesson, nevertheless, is rife with useful instruction, and every way entitled to the consideration of the American citizen for whom it is intended, but more especially of the south, whose ill-directed zeal on many recent occasions has exceeded all sound discretion, and well-nigh exposed the nation to the chances of a fierce and sanguinary convulsion.

The slave population of the United States, according to the returns of 1831, amounted to 2,009,031. It increased in 1840 to 2,486,113; and

is now estimated at somewhat about 2,700,000 of all ages, being an augmentation within the last ten years of about 700,000.

This increase, not only includes the children, the offspring of African parents, but *all* children born of slave *mothers*, whether the fathers were white, or free-coloured persons, including Mulattoes; and who, notwithstanding, became slaves at their birth, rendering it at all times a matter of some difficulty to determine with any degree of accuracy, the actual increase of slaves within the Union, though it has been well ascertained, that in various inland intersections of the country, particularly in the Slave-working States of the south and south-west, the deaths among the slaves, have always considerably outnumbered the births, leaving the accustomed supply of slave labour to be made up from other sources.

The average term of life of a slave, in the Southern States, from the time that he is put to work, is variously estimated from five to six, or at furthest eight years; whilst it is often made a subject of grave inquiry among the southern slave-holders, determinable by a strict analysis, especially of the profits and losses to the estate, whether it is not infinitely more advantageous to the interests of the slave proprietor, to work his slaves off, that is, to *work them to death* within this period, and purchase others in their stead, than by care, and moderate work, with restricted profits, to lengthen out the time of their miserable existence. The

former is the generally received opinion, and we shudder to think, the universally adopted practice throughout the south.

The laws of the United States, though encouraging the home market, have prohibited by statute the importation of African slaves into any part of the Republic. A contraband trade is nevertheless carried on to some extent from the island of Cuba, favoured by its proximity to the Floridas, and along the extended frontier of the Sabine and Red Rivers, from the adjoining territory of Texas, now recently annexed to the United States, and forming an integral part of this Republic. It was only within these last two years that this nest of American free-booters passed a law, prohibiting the residence of any free-coloured persons among them, and declaring in effect, all Negroes within their jurisdiction, slaves *de facto*, at the same time, that every encouragement and protection was given, and is still afforded to a traffic in this species of merchandise.

Independent of this means, from which the population of the United States receives an annual supply, there are other sources that assist to fill up the chasms occasioned by the great annual mortality amongst these unfortunate people. The lands of Virginia, Maryland—indeed those on the seaboard generally, have for many years past become partly exhausted, and to a considerable extent unproductive. To force crops in these States, either by means of an increased outlay of capital, or labour,

while an immense territory of rich and generative soil continues in its state of original waste in the south and south-western parts of the Republic, would neither accord with the usual pecuniary resources, or the shrewd intelligence of the generality of American citizens, who are no sooner compelled by the pressure of circumstances, to abandon any one pursuit, than they readily adopt another to supply its place. Many of the planters in these districts have consequently turned their attention from the forced culture of the land, to the breeding and rearing Negroes for the supply of the south, which has become of late years a source of enormous wealth to these States, and of profit to the individuals engaged in this debasing and demoralising practice.*

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* Washington, *the seat of the Federal Government* and of *Congress*, and Alexandria in its vicinity, both of which are *exclusively* under their jurisdiction, are the principal places of export of these slaves, and from where regular slave vessels are constantly sailing for southern ports, of which due notice is usually given in the daily prints of these cities, as follows :—

"Alexandria (District of Columbia) and New Orleans Packets.

"The Brig *Tribune*, Captain Smith, and Brig *Uncas*, Captain Boush, will resume their regular trips on 20th of October, one of which will leave this port every thirty days throughout the shipping season. They are vessels of the first class, commanded by experienced officers, and will at all times go up the Mississippi by steam, and every exertion used to promote the interest of shippers, and comforts of passengers. Apply to the Captain, or Franklin and Armfield."

The accommodation of the *Tribune* is thus described by an

The annual importation of African Slaves into the United States, is supposed to exceed *fifteen thousand;* while the number produced in each year in the States of Maryland, Virginia, North Carolina, &c., and driven away south, is variously

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eyewitness:—"The hold is appropriated to the slaves, and is divided into two departments. The after hold will carry about 80 women, and the other about 100 men. On either side were two platforms running the whole length, one raised a few inches, and the other half way up the deck. They were about 5½ or 6 feet deep. On them they lie, as close as they can stow away. This house (Franklin and Armfield) has an extensive slave prison in Alexandria. Public prisons, *built by Congress*, are used by the slave *dealers* for their refractory slaves, and by *licensed* slave dealers as a depot for their wretched victims, under legislative supervision, both in Washington and Alexandria."

The following is of the usual advertisements that occupy a prominent part of the daily papers published in these cities:—

Negroes Wanted.

"The subscriber wishes to purchase from 25 to 50 young Negroes of both sexes, from 12 to 25 years of age.

"Persons having servants to dispose of, will find it their interest to give me a call, as I will give higher prices in cash than any other person in the market.—*James Birch.*"

Cash for 200 Negroes.

"We will give cash for 200 likely young Negroes of both sexes, families included. Persons wishing to dispose of their slaves will do well to give us a call, as we will give higher prices in cash, than any other purchasers who are now or may hereafter come into this market. All communications will meet with attention. We can always be found at our residence on 7th Street, immediately south of the centre market-house, City of Washington (D. C.)—*Joseph W. Neal, & Co.*"

estimated from 50 to 80,000; and even to 100,000 annually.

Mr. Wright, Representative for Maryland, in a late speech in Congress, estimated the number of African slaves annually imported into the United States at 15,000. So also did Mr. Midleton, Member for South Carolina, who stated in his place, and without contradiction, that cargoes—entire cargoes of African slaves were smuggled into the south to a deplorable extent.

The importation of slaves from beyond the seas is prohibited, it is true, by the laws of the Republic; but these laws are dexterously evaded by its own free citizens, who carry on an extensive trade under the joint protection of the American and Portuguese flag. The peculiar clipper-build of American shipping, so remarkable for their speed and other capabilities, has well adapted them as the carriers in this infamous traffic. We have been on board some of these vessels in the port of New York, notoriously intended for this trade, and prepared with every requisite for the undertaking. Their destination and purpose, though well known, occasioned no surprise, or the least disapprobation amongst the goodly citizens—the *soi-disant* liberals of this city. The enterprise was to enrich some one or other of themselves, and it mattered very little the means to be resorted to for this purpose, or the outrage to be committed against mankind in this projected piracy on their rights. A seizure of one of these vessels has sometimes been made, possibly the better to

deceive the remaining public, and relieve the authorities from the charge of an entire abandonment of their duty in the sanction given to these proceedings. The affair, however, apart from these occasional and slight interruptions, is generally well contrived, and usually conducted in this way. Vessels well adapted for this purpose, are always to be found in some of the American ports, sailing under United States papers, and the protection of her flag. When purchased by the slave dealer, a contract is usually made with the seller, by which these papers are to continue with the vessel for some stated time, at the expiration of which, they are to be returned with the register to the proper United States authorities. All her other arrangements being completed, she continues to sail as an American vessel, perhaps for the Havanna, or to some other Spanish West India port. A new crew is there put on board, with either the same or some other captain, who must be an United States' citizen, to secure the vessel from all contingencies, (for the American flag covers every delinquency of this kind), and the difficulties to be sometimes apprehended from the vigilance and busy intermeddling of British cruisers, until she should reach her destination on the African coast, or possibly have secured her intended cargo of human beings. These captains, or any other person, to ostensibly assume the title, are readily procured from the United States. They are usually of a daring, adventurous character—generally of desperate means,

who are always prepared to lend themselves to any wicked or nefarious enterprise of this kind, where money, or the prospect of money is to be the reward. It matters little in the arrangement, whether they are seamen or of any other profession or calling, as their authority while on board is merely nominal, and only recognised for the purpose of ensuring the vessel's safety, and exemption from interference on her outward voyage. After this project is realised, and that the scheme has so far succeeded, and the vessel, freighted with the sighs and sufferings of several hundreds it may be, of human beings, is about to quit the coast on her return voyage—the captain, *in fact*, now assumes his real character and place on board—presents a letter, or power of attorney from the owners for an entire transfer of the vessel, of which he immediately assumes the charge, the former captain, who is frequently a joint owner, returning in her as a passenger merely, while the Portuguese flag is substituted for the Stars and Stripes of the United States, and the original papers returned, according to the compact entered into on the first purchase of the vessel.

The Havanna is usually the first place of rendezvous of all vessels of this character, on leaving the United States, where the official authorities of the United States Government have been often charged with aiding in the promotion of these speculations.

The breeding and rearing slaves for sale in the United States, has often been denied, and strange

as it may appear, on the authority of those, who, from their position in the country, and character before the world, should have shewn some respect for honesty and truth in such matters. The practice is so notorious—the system so very general, that its denial can hardly tend to satisfy any person in the least acquainted with the domestic history of the Republic, in such matters.

Among the latest who have publicly pledged their reputation in repudiation of any such belief, is the honourable Mr. Stephenson, late United States Minister to England, disclaiming the charges made against him by Mr. O'Connell, of being a slave-breeder, in his native State, (Virginia) and which he denied as "wholly destitute of truth." We are, perhaps, bound to accept Mr. Stephenson's disavowal as regards his own personal conduct, though that the statement has been publicly reiterated in his own country, and its truth, without any further explanation from Mr. Stephenson, insisted on beyond all controversy. But Mr. Stephenson was not content to record this denial on his own behalf, of a charge, which he declares to "*have been wholly destitute of truth*," but adds, with a most unbecoming disregard of actual fact, that "such is also the case, in relation to the charge, of slave-breeding in the United States."

We can very well imagine the honourable gentleman's anxiety, whilst a resident in Great Britain, to redeem his individual character from the reproach of being a slave-breeder for traffic, or in anywise

personally connected with a system so abhorrent to the minds of the English public: we can equally understand his desire, while representing the United States at the British Court, to relieve his country generally from any such imputation. But he should have paid some better respect to truth, and in his zeal, have abstained from drawing so largely upon the public credulity in a matter of this notoriety—of positive fact—sustained by the concurrent testimony of so many of his own countrymen.

Virginia is not merely a slave-breeding State, in the absolute and full meaning of the phrase, but draws the greater portion of her wealth from this disreputable source. But Virginia does not stand alone; Maryland, and to some partial extent, North Carolina, and Kentucky, encourages the same abominable traffic, and by a steady annual increase of their slave population, are enabled to dispose of several thousands in each year, to southern dealers. The precise number can scarcely be ascertained, as there is no official or positive means of determining the extent, which is variously estimated, as we have already shewn, at from 80,000 to 100,000 annually.*

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* Professor Dew, now President of the University of William and Mary, Virginia, in his review of the Debates of the Virginian Legislature, page 49, says:—

"From all the information we can obtain, we have no hesitation in saying that upwards of 6000 (slaves), which Virginia annually sends to the south, are a source of wealth to Virginia." And again, in page 120 of the same work, "A full equivalent

Not only is this trade extensively carried on, in violation of every Christian and moral principle, and sanctioned by an acquiescence of the entire people, but men are even found who audaciously assert the inherent right of the slave-owner to convert this species of property into what he may conceive to be its most productive channels. The avowal of such principles is not merely restricted to the slave shambles—to the public marts

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being thus left in the place of the slave, this emigration becomes an advantage to the State, and does not check the black population as much as at first view we might imagine, because it furnishes every inducement to the master to attend to the Negroes—to *encourage breeding*, and cause the greatest number possible to be raised, &c."

We also take the following from the acknowledged high authority of Niles' W. Register, published in the City of Baltimore, in the State of Maryland, vol. 35, page 4 :—

" Dealing in slaves has become a large business; establishments are made in several places in Maryland and Virginia, at which *they are sold like cattle;* these places are strongly built, and well supplied with *thumb-screws* and *gags*, and ornamented with cowskins and other whips, often bloody."

The Virginian Times, an influential paper, published at Wheeling, in the State of Virginia, in 1836, stated upon what it asserted to be competent authority, that the estimated number of slaves exported from Virginia within the preceding twelve months amounted to about 120,000, each slave averaging at least 600 dollars, making an aggregate at 72,000,000 dollars of the number of slaves exported, not more than one-third have been sold, (the others having been carried by their owners, who have removed), which would leave in the State the sum of *twenty-four millions of dollars.*

or highways; neither is it confined to the sickly and decomposed atmosphere of Southern Slave society, but finds its way into the meetings, and legislative councils of the people, where these opinions are openly proclaimed (uncontradicted) by the most popular members of these assemblies, and reechoed by the general assent, until they become identified as a distinguishing feature in the character of the entire population.

"It has always, perhaps erroneously, been considered by steady and old-fashioned people," observes the Hon. Mr. Gholson, in a late speech in the legislature of Virginia, "that the owners of land had a reasonable right to its annual profits—the owners of brood mares to their product; and the owner of *female slaves*, to their increase. We have not the fine-spun intelligence, nor legal acumen to discover the technical distinctions drawn by gentlemen. The legal maxim, '*Partus sequitur ventrum*,' is coequal with the existence of the rights of property itself, and is founded in wisdom and justice. It is on the justice and inviolability of this measure, that the master foregoes the service of the female slave; has her nursed and attended to during the period of her gestation, and raises the helpless and infant offspring. The value of the property justifies the expense, and I do not hesitate to say, that in its increase, consists *much of our wealth*."

We shall not detract from the natural loathing which the foregoing declaration of the Honourable Representative is so well calculated to produce, by any expression of our own sentiments, as to this reckless exhibition of human wickedness and crime—speaking the opinions, as we verily believe it does, of the entire slave proprietary of America—

invariably acted on, throughout the entire slave districts, where it is no unusual exhibition to see husbands taken from their wives and families—children, even at a tender age, forced from the maternal care—the affectionate embrace of an unfortunate and distracted parent; for nature, all powerful in its impulses, asserts its influence even within the slave breast—consigned to a merciless and degrading bondage. These incidents are of frequent occurrence—proclaimed through the numerous slave sales throughout all parts of the southern states. The following extract from the published address of the Presbyterian Synod of Kentucky to the churches under their care, in 1835, p. 12, is painfully descriptive of this state of moral degradation and crime.

"Brothers and sisters, parents and children, husbands and wives, are torn asunder, and permitted to see each other no more. These acts are daily occurring in the midst of us. The shrieks and agony often witnessed on such occasions proclaim with a trumpet tongue, the iniquity of our system. There is not a neighbourhood where these heart-rending scenes are not displayed; there is not a village or road that does not behold the sad procession of manacled outcasts, whose mournful countenances tell that they are *exiled by force*, from all that their hearts hold dear."*

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* Professor Andrews, late of the University of South Carolina, in his recent work on Slavery and the Slave Trade, page 147, in relating a conversation with a slave-trader whom he met near Washington city, says he inquired—

"Do you often buy the wife without the husband?"

"*Yes*, very often; and frequently too, they *sell me the*

To this, and many other details equally revolting, may be added another species of slave-traffic peculiar to these States—that of kidnapping, or the forcible seizure, and enticing away free coloured citizens, particularly children of a tender age, and carrying them to the south, where they are sold as slaves. This practice is very generally resorted to by the white citizens of the northern and eastern states, who amass considerable wealth by these means. Their victims are seldom afterwards heard of, while the actors in these excesses generally escape unscathed, with the price and reward of their villainy secured to them.

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mother while they keep the children. I have often known them *to take away the infant from its mother's breast, and keep it whilst they sold her.*"

The following is a standing advertisement in the Charleston, S. Carolina, papers:—

120 *Negroes for Sale.*

"The subscriber has just arrived from *Pittsburgh, Virginia* with one hundred and twenty likely young Negroes of both sexes, and every description, which he offers for sale on the most reasonable terms.

"The lot now on hand consists of plough boys, several likely and qualified house servants of both sexes, several women with children, small girls suitable for nurses, and several *small boys without their mothers.* Planters and traders are earnestly requested to give the subscriber a call previous to making purchases elsewhere, as he is enabled, and will sell as cheap, or cheaper, than can be sold by any other person in the trade.

"*Benjamin Davis.*

"*Hamburg, South Carolina.*
Sept. 28, 1839."

It were, indeed, a wearisome, as well as an ungrateful task, to wade through the detail of these, and similar enormities, that meet inquiry on every side, and appal us with their frequent repetition—to detail the horrors, the remorseless cruelties and oppression practised on the helpless Negro, under the sanction of as tyrannic and sanguinary a code of laws, as is to be found recorded in the history of the most barbarous nations of the world. What are we to think? What are mankind to believe of a people, of the character that these acts proclaim? whose loud boasts are borne on every breeze; who, in the face and front of their own recorded declarations—their asserted principles—their arrogance and pride, seize upon their own free citizens in the very heart of the Republic, under the colour and sanction of their own made laws, and without an offence alleged, or even its shadow, or the slightest act of criminality imputed to them, outrage every principle of christianity and justice—every feeling of humanity and pity, by consigning them unheard, unheeded, to a degrading and revolting slavery; to be branded, scourged, and to receive their extreme of punishment, restricted only by the whim and passion of the oppressor. It well, indeed, becomes a people, so sunk in moral turpitude—so callous to every high and ennobling feeling—so utterly reckless of every moral and christian observance, of every subsisting obligation between them and their species, to brand as slaves the rest of mankind, and to assail, as they are accustomed,

the institutions and laws of other countries; presenting them at all times to their citizens under the most illiberal and distorted features, either to reconcile them to the strange medley of uncertain and oppressive laws by which they are themselves governed—the venality, corruption, and abuse, inseparable in their dispensation, or to encourage the ill-natured prejudices—the dislike to all other nations, with that belief in their inferiority, in which the American has been carefully tutored from his childhood, which has been matured with his riper years, and which forms a necessary component in his political creed. The facilities which now present of rapid and direct interchange—the increased intercourse which in consequence, has supervened all former or usual mode of communication between the new world and nations of the old, will, it is to be hoped, soon lead to the correction of these fallacies, and induce a more correct and liberal estimate of European laws and institutions; whilst it will also tend to expose to the American citizen, the wants and many imperfections of his own system—the various corrupt practices that require his correction—the tyranny and oppression of which he is hourly guilty, and which he must sooner or later abandon, should he hope to see himself respected—his country prosper, or permitted to hold a rank among the civilized nations of the world.

'Tis impossible, with the rapid advances of all mental, social, and physical improvement, for which the present age is so remarkable, to foresee

what the womb of time may generate—the changes that a few short years may bring about, if the barbarous cruelties practised on the unoffending slave—the course of violent denunciation and resistance to the laws, encouraged on all occasions by the southern dealer, is still persisted in; who seems prepared to run all hazards--to encounter every risk, rather than forego any of the advantages, derivable from this revolting practice--this legally constituted piracy on human rights.

In whatever light we may be disposed to consider the slave trade of America, we are also bound, from a full consciousness of the many considerations with which it is mixed up, to regard it as a question of considerable importance to the peace—the future stability and well-being of the Republic, beset, as it happily is, with innumerable difficulties to its further continuance, as also, in relation to the means of its immediate or progressive abolition; with a due regard to the protection of the persons, as well as the properties, of the entire slave proprietary of the country. We hold it to be utterly impossible, that an abomination of this kind, the offspring of a state of semi-barbarism, alike opposed to the liberality and growing intelligence of the times in which we live—repugnant to the spirit of toleration and universal freedom of the present day, and so contrary to every precept of Christianity, and that faith, which teaches us to "do unto all men, as we should wish that they would do unto us," should much longer disgrace mankind by its continuance, but that the

time is near at hand, when in despite of the interested efforts of a callous—a sordid and selfish proprietary—of laws that in their daily enforcement, outrage every feeling of propriety and justice, and set at nought the inborn rights of so large a portion of our fellow creatures, this brutalizing system must cease to exist, or to be in any manner recognized among the nations of the world. That such a consummation is near at hand, we verily believe; no human ingenuity, or means, can long stay its progress, or prevent the sighs, and many aspirations of the wretched slave being at length heard at the throne of mercy; whilst it behoves the slave owner, —he, who has so long revelled on the unrequited toil and labour of his wretched victim, and wrested from him by savage force, the just reward of his patient industry and endurance, together with that freedom which was his natural inheritance,—to prepare for coming events, and endeavour ere it may be too late, to propitiate those feelings he has so often outraged and set at nought—assuage those angry recollections of embittered animosity, to which his own brutality has given birth; and by imparting to this degraded class of fellow beings, whilst as yet under his control, the blessings of a more ample religious instruction combined with some share of education, prepare him to meet as may become the change, that freedom and independence, which sooner or later will certainly overtake him.

But there are men, so perfectly callous to the approach of danger—so unwise in their generation,

and withal so indifferent to the difficulties and troubles to which they expose themselves and their country, by their fatuity—their wayward obstinacy and folly, that they will bend to no advice—hearken to no suggestion, however reasonable, or just, or adopt any of the precautions, that wisdom and even a small share of worldly prudence would suggest, as their safeguard under approaching difficulties; and who would rather see their country laid waste, under a desolating and sanguinary civil war, than owe its safety to the sacrifice of any one interest, or worldly advantage; men, who in this instance, would eagerly risk the consequences, however fearful, in opposition to any, the slightest interference, with what they term their "vested rights," in the flesh and bone of their fellow man, than lend their aid, in preparing the way, by a judicious and progressive amelioration of the present moral and worldly condition of the slave, to his final manumission. To these men we say beware!—they tread upon a volcano whose smouldering embers are ready to burst forth with irresistible fury, whilst every throe of the earth beneath is ominous of the danger to which they are exposed. The day of retributive justice may even within the short-lived term of an uncertain and precarious life, overtake them, and exact a fearful and heavy vengeance for the past.

The present condition of American society is not such as can be treated of lightly, or with indifference, no more than it can long continue to exist in

its present dismembered and sickly state. Already has the selfishness and apprehensions of many of the southern slave proprietors been aroused to the consciousness of the insecurity of their present position—the incertitude of their present means; but which, instead of leading them in the promotion of measures of public advantage, or in any wise conducive to the public safety, in anticipation of events that are inevitable—that no combination of mere force or other circumstances can long prevent to their certain and final consummation, they continue in the same reckless hostility to every change, directing their malevolence against the unhappy object still within their power, and against those of their own countrymen, who may chance to dissent from the strict propriety and justice of their proceedings. How true the observation, that human nature seldom tamely submits to the loss of its *rights*, but makes a far more formidable resistance when about to be deprived of its *wrongs*.

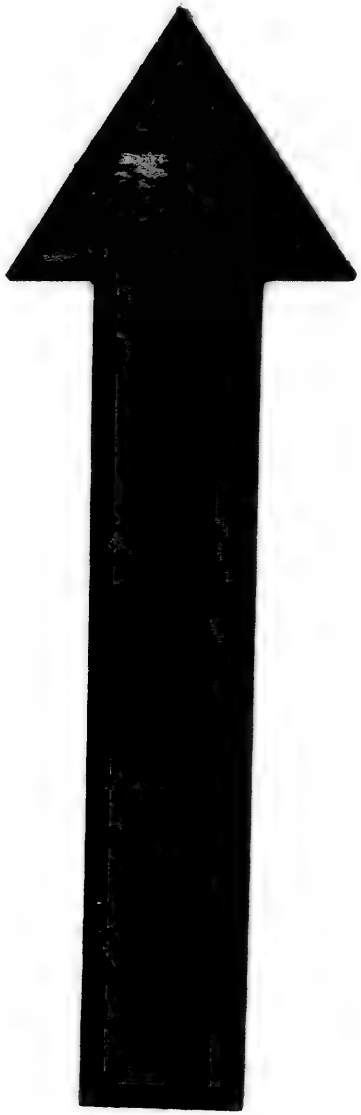
The question, nevertheless, of the abolition of slavery in the United States, is, we are quite free to admit, attendant with many difficulties, yet with none that may not easily be overcome. It should, perhaps, be gradual and progressive, to ensure the ends that its friends contemplate, and that every reasonable man has a right to look for; secured from all ulterior evil consequence, by some judicious —some reasonable preparatory arrangement, with a mild and conciliatory treatment to the slave, ensuring some provision for the young, the feeble, and aged, and, perhaps, a security for the protection

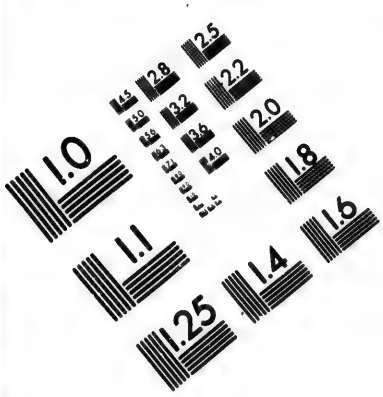
of the whites, particularly in those states where their numbers are far exceeded by the slave population. It may not be exactly fair to compare the actual state of America, in this respect, with Great Britain, as to the position of the slaves of her West India and other possessions; where the local and moral power of the Government is always sufficient and at hand, to quell every tendency to insubordination and crime; and its means exerted to the utmost in ameliorating the condition of the coloured race. But somewhat different, we admit, is the position of the United States, where an opposite course has been pursued, and the necessity for precaution and a careful preparatory arrangement, rendered the more necessary from the restraints—the absolute tyranny of the treatment imposed upon this severely oppressed class of its population.

Whatever the difficulties that in consequence present themselves, it must be admitted, that they are in great part of the slave-owner's own creation, from whom the remedy must also proceed. It is no argument against abolition, that the crime and guilt of slavery has been coloured with excesses, that would render it unsafe to the actors in these abominations, to remove beyond penal restraint the wretched victims they have so long persecuted. Such a state of things, if that it really exists, is altogether of the slave-owner's own generating—the work and product of his own hands; from the consequent—the effects of which he has no right to claim a preëmption, by a continued perpetration

of the most oppressive wrong, in which he has been himself the principal actor. Still, there may be opportunities, and ere that it is too late, to make some partial atonement, and prepare the way for their own safety, if it is that they really believe it menaced, by a concession of political rights—of universal freedom to the slave population within their territory, by those acts of beneficence and kindness—of instruction and general improvement of the Negro, in his moral, mental, and worldly condition; that while they may tend to obliterate the recollection of past severity and unnecessary oppression—to soften down the asperity of the slave's feelings, and restrain the natural animosity to which their former conduct may have given rise, will effect an entire change in his inward man, constitute him, under a far different and sounder policy, both a peaceable and useful member of the community, and a source of strength, instead of weakness, to the government under which he lives. But will the slave-owner do this? Will he lay aside his long cherished predilections—exchange the rapacity and natural ferocity of his character, for a mild, conciliatory, and Christian deportment?—forego the annual profits derivable from this revolting and inhuman source, and join in spirit and in good earnest in this goodly work of human regeneration? Alas! we fear not; but that he is the rather prepared to abandon every hope of relieving the national character from the foul stain that rests upon it—to relinquish every prospect of the general good, and lay the nation in

one gore of human blood, scattering the confederacy into a thousand fragments, than willingly surrender for one short-lived hour, the worldly advantages he possesses—the right, which he impiously claims to exercise, over his wretched bondsman; and that he will never assent to forego the control with which he is invested, until such may be wrested from him by main or physical force, or that he is deprived of its peculiar advantages, by the result of a general combination of the rest of mankind, operating upon his fears or worldly interests, and the innate selfishness of his depraved and vitiated nature:—for however generally public opinion in the north and east may record its dissent from the unrighteous course of his proceedings—protest against the iniquity of his conduct, and endeavour to disconnect those states from the opprobrium and deep disgrace which the besetting sin of slavery has affixed to the national character, their citizens are too nearly identified in their interests—too intimately mixed up in all their business relations, under a system—a state of things which has grown with the wants and habits, the necessities of the entire people, to hope for the immediate decided interference of any particular section of the Republic, expressive of even a desire to put an end to this nefarious system, or discountenance its existence within the territory of the United States. It is from without the pressure should first come—the voice potential should first be heard—the mandate should first issue, which is to determine the unhappy slave's proscription, and





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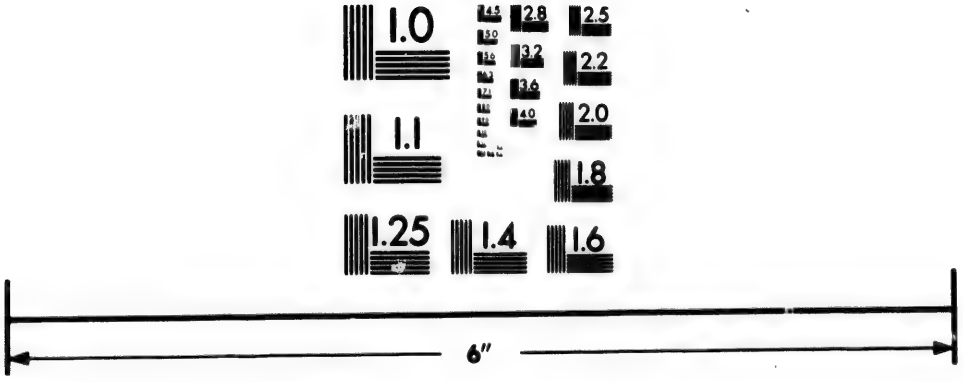

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restore him to that position, which Nature, and Nature's God, has mercifully intended for all His creatures.

It is an admitted principle in political science, that when the imports of any country exceed the amount of their annual exports, the excess, as a consequent, being paid in specie, if paid at all, that such will necessarily bring with it, a state of commercial embarrassment and difficulty; and that if continued, must eventuate in general bankruptcy and ruin. Such, we may remind the reader, was the case, for several years antecedent to the great commercial crises of 1837 and 1839, when the debts of the United States, principally to British merchants, or claimants, was supposed to exceed 200,000,000 dollars, the greater part of which has never been paid, or liquidated to the present day. But this principle is not in the same way applicable as between the south and the several states of the north, and the north-east; though the imports of the latter appear to far exceed their amount of annual exports. The goods and foreign merchandize introduced into the United States, 1840, of which to the value of more than one half of the entire, or 60,440,750 dollars, was alone entered at the port of New York, were immediately, and through the active industry of the northern merchant, (presenting, at all times, a remarkable contrast to the native indolence of the southern dealer) distributed throughout every part of the interior, finding its way by the various channels of communication, to the remotest districts of the

western country, and also supplying the demands and very many of the wants of their less enterprising fellow citizens of the south, who pay for these supplies by the exchange of their various products; a considerable proportion of which is forwarded from the interior, and subsequently shipped at New Orleans, Charleston, and Mobile, and other southern ports on account of northern or eastern merchants; though classed as of the exports of the south, and apparently shipped on southern account. These exports are mostly of the produce of slave labour—of slave industry and exertion: yet, is it by these means that a considerable proportion of the northern and eastern trade is carried on—their merchants enriched, as the factors, and general carriers of the various staple products of the country, giving them, as they conceive, a direct personal interest in the continuance of slavery within the Republic, which neither the small measure of philanthropy, to which they may lay claim, or the consciousness of wrong, of which they are thus indirectly the abettors, will permit them to abandon until they find their interests—their own means impaired by the connection; when, and not until then, will they admit the state of moral degradation to which the foul crime of slavery has reduced their country—recognize the wrongs under which so many of their fellow creatures have been doomed to suffer—demand a revision of the laws which should govern them in common, and turning from these abominations, rely more upon the resources of their own

free states, that were their capabilities even now but rightly encouraged, would afford them full and ample means of all legitimate enterprise and dealing.

These states are rich in their productive means—in their mineral and subterraneous wealth, which is daily developing its extent, independent of their vast agricultural capabilities, which are also extensive, though by no means sustained according to their very general importance. Agriculture is a pursuit generally unsuited to American taste and habits: it is too lazy in its progress—too plodding in its detail, as well as restricted in its remuneration, to accord with the ardent, the grasping and eager mind of the American citizen, whose speculating and over-trading propensities are too much controlled in its pursuit. The embarrassments and commercial difficulties of the last few years, which made bankrupt an entire nation, has nevertheless given a salutary and wholesome check to these extravagant predilections: the public mind since then has settled down to a more sober thinking and turned to pursuits almost irreconcileable with its former habits. The northern and western states present even now an enlarged field for quiet industry and enterprise. Their agricultural resources are extensive—their means and articles of export considerable, principally consisting of flour, beef, tallow, pork, bacon, and other provisions; pot and pearl-ash, flax seed; also, tar, pitch, resin, turpentine, and other naval stores, with capabilities for an extensive and profitable timber trade, added to which the produce of its looms, comprising nine-tenths of the entire manufacturing business of America.

To effectually, yet peaceably, put an end to slavery in the United States, it requires only to discountenance the produce of slave labour in the European markets—to supply the demand from other sources, encouraging the growth of the American staple in those countries equally suited to its production. It needs, we apprehend, no very extraordinary effort to bring the public mind in England to this way of thinking and of acting, on a conviction of its necessity. Amidst the extensive possessions of Great Britain in every clime and region of the world, there are none of the products of the slave-holding districts of the United States, that may not, with moderate skill and legislative encouragement, be raised as of its indigenous growth, to supply the home market, affording a new outlet for British industry and capital, creating a new, and in the progress of time an extensive and profitable market for her manufactures, guaranteed in the improved and altered condition of her colonial population. The consequent of a policy of this kind would very soon be felt in the United States, which annually sends to Great Britain and her dependencies considerably more than one half of her entire exports to all other parts of the world.

CHAPTER XVI.

Army of the Republic—Its limited numbers and organization—American Officers—Artillery—Military Academy at West Point—Army by no means popular—Composed principally of foreigners—Its organization—Desertion very general—Severity and privation of a soldier's life in America—Frontier posts—United States Arsenals—General pay and allowances—Militia, or State Troops—Their organization—Volunteer corps—Their dress, discipline, &c.—Scotch and Irish corps in the several States—Their frequent discreditable exhibitions—Disproportionate number of regular and State Troops—Late War—Battle of New Orleans—Slanderous imputation made against British Troops on this occasion—Summary, containing an Account of the State Troops, with the laws in force in each locality for their organization and government.

We shall now turn to a branch of the public service, the army of the United States—necessary to its defence in time of war, and at other seasons, chiefly employed to guard its inland frontier, and protect the recent settler from the inroads and depredations of the neighbouring Indian tribes, independent of a few who are left to take charge of the several arsenals and forts on the seaboard, and along the northern, or Canadian boundary.

The regular force authorized by law, 1845, consists of 716 commissioned officers, 17 store keepers, 40 sergeants, 250 enlisted men for the ordnance

service, and 7,590 non-commissioned officers, and privates, making an aggregate of 8,613 men.

The United States is divided into two grand military divisions, each under the command of a Brigadier-General—the entire, under a Major-General commanding in chief, whose head-quarters is at the City of Washington.

The artillery bear a proportion as to numbers, of nearly one half of the entire infantry of the line; each regiment consists of nine companies, one of which is equipped as light artillery. A company is officered by a Captain, four subalterns, and eight non-commissioned officers, with three artificers, two musicians, and forty-two privates. A company of infantry consists of a Captain, two subalterns, seven non-commissioned officers, two musicians, and forty-two privates. To each regiment of artillery, and infantry, there are one Colonel, one Lieutenant-Colonel, one Major, an Adjutant, Sergeant-major, and Quarter-master Sergeant.

The officers of the American army are scarcely to be judged from the high character of those in the British service, though very many excellent men are to be found amongst them—the regulations adopted within late years, requiring, that all persons intending to pursue the army as a profession, should pass through a set course of military studies, to qualify them for a commission. The Military Academy at West Point, in the State of New York, is the only national institution in the United States, where citizens intended for the service are instructed in the

theories, and varied duties of military life. The President has alone the power of nominating the Students, who are limited to 250.*

The cadets, as a preliminary to their admission, are required to undergo an examination in English reading, writing, and arithmetic, and to sign articles with the consent of parent, or guardian,

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* Captain Hall, in his very excellent work on the United States, in speaking of the Academy of West Point, which he had visited, observes :—The students are subject to strict examination before admission. If they pass this ordeal, they are taken on trial for six months, and if this period be passed creditably, they become cadets ; if not, their friends get a hint to remove them. It appears that the object of this institution, is not so much to train up young men for active military service, as to disseminate through their means, a taste for the accurate sciences, and so spread widely accurate ideas of military discipline and knowledge. The students are made to mount guard, and do the ordinary garrison duties of the district ; a register is kept most minutely, of the demerits of each cadet, exhibiting at a glance, how each has behaved throughout the year, month, or week. It contains several columns, each being for the enumeration of a separate offence, commencing with the greatest as No. 1, and ending at No. 7, with the most trivial. This register is printed and circulated annually over the whole country, and is certainly a harsh enough visitation, for the youthful delinquencies of the poor fellows, whose deeds it chronicles. In that of the year 1826, only seven names appeared with all the columns blank : all the rest of the 250 students, were more or less blackened, and one poor lad, had actually 621 black balls against him ! The cadets had nothing of the military air about them, but plenty of the awkward slovenly gait, so observable over the whole country. Upon the whole, however, the establishment appeared to be very creditably conducted, and likely to answer its purpose.

engaging to serve five years, unless sooner discharged. How many, nevertheless, who in the ardour and enthusiasm of youth, have entered the profession, and in the bitterness of disappointed hopes, in a short while afterwards, quit this most ungrateful and unprofitable service, in which there is neither honour, or advantage of any kind to be obtained—no retiring pension—no half-pay secured for length of service, infirmities, or old age. The reports from the army, are seldom without an account of officers throwing up their commissions in disgust, and disappointment—abandoning a profession, in utter hopelessness of securing any reasonable provision for the personal and admitted sacrifices they had made, in at all connecting themselves with the service.

The cadets in the Military Academy, are admitted at the age of fourteen, and are required within the first six months, to pass through a severe mathematical examination, which very few are equal to. There is a marked distinction between the students from the northern, and southern states, that while those of the former, are studious and persevering, the latter, reared amidst the indolence of a slave atmosphere, are generally idle and inattentive, few of whom remain in the college, but are soon dismissed; which has occasioned a belief in the south generally, of a favouritism and an undue partiality in the dismissals, and which has created a prejudice against the Institution amongst the southern planters. There is also a half yearly exami-

nation, to which every student has to submit; but these are so unusually strict, that it is computed nearly one half of those who enter the college, are obliged to quit it after the first examination.*

As the United States service promises to the soldier but little enjoyment, with many privations, few Americans of any character, or capabilities choose to enlist. The high price of labour, and cheapness of provisions, equally operates to prevent his doing so. The ranks are usually composed of a *melange* of Poles, Germans, but principally of Irish emigrants, and some few deserters from the British regiments in the Canadas, to whom the change, when made, is seldom very grateful. To accord in spirit with the institutions of the country, all enlistments are required to be "voluntary," that is,

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* From a statement submitted to Congress in 1844, it appears, that the number of Cadets admitted into the institution since its establishment, is 2,942.

Of which have graduated	1,206	Disbanded or dismissed	33
Resigned before graduation	61	Killed in service	11
Declined commissions	6	Died in service	147
Resigned	323	Now in service	542

Of those now in service, there are 4 Colonels, 6 Lieutenant-Colonels, 13 Majors, 173 Captains, 170 First Lieutenants, 130 Second Lieutenants, 70 Brevet Second Lieutenants, 5 Paymasters; and one Military store-keeper.

The amount appropriated for the Institution, since its establishment, for buildings, library, apparatus, &c. is	711,399 dols.
For salaries, pay, subsistence, &c.	3,291,501 ,,
	4,002,900 dols.

twenty-four hours are permitted to pass, from the time that the recruit first makes known his intention, or desire to enlist, and his subscribing to the customary oath, and receiving the bounty. Five feet six inches, is the standard height, and twelve dollars is the bounty money. All free white males between the ages of eighteen and thirty-five, are eligible to be enlisted—the usual term is five years.

The American army is organized and directed in its discipline, by somewhat similar regulations with the British, their Articles of War, being in great part, a transcript of the English Mutiny Act. Their modes of punishment, are, however, in many ways different, and generally more severe. Flogging is altogether done away with for petty crimes, or except for desertion; but human ingenuity has been exercised in devising numerous substitutes in the multitudinous means resorted to, in which the Americans certainly excel, beyond any other people.*

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* Captain Marryatt had an opportunity of visiting several of the frontier posts in the year 1838. In speaking of the various modes of punishing the soldier, he observes:—"If ever there was a proof of the necessity of punishment to enforce discipline, it is in the many substitutions in lieu of corporal punishment, to which the officers are compelled to resort, all of them more severe than flogging. The most common is, loading a man with thirty-six pounds of shot in his knapsack, and making him walk three hours out of four, day and night without intermission, with this weight on his shoulders, for six days and six nights; that is, he is compelled to walk three hours with the weight, and

The troops being divided into small detachments under subordinate commands, have scarcely any opportunity of being instructed in field movements, or the other duties of a camp, of which they rarely know anything. They neither have the gait, or possess the military esprit belonging to European troops, to assist them in the performance of their duties, or to reconcile them to the change, and vicissitudes of a soldier's life. Desertions, are in consequence, very frequent; and from the extensive field to which they can escape, a deserter is very seldom returned to his regiment. It is calculated, that nearly one half of the non-commissioned officers and privates of the American army, desert every year. There is even much difficulty in bringing them up in the first instance. No sooner do they enlist, which is often under some sudden chagrin or disappointment, than they are confined in one or other of the government forts, from where escape is almost impossible, until marched off, well

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then is suffered to sit down one. Towards the close, this punishment becomes very severe, the feet of the men are so swelled, that they cannot move for some days afterwards. I inquired what would be the consequence, if a man were to throw down his knapsack and refuse to walk. The commanding officer of one of the forts replied, *that he would be hung up by the thumbs, till he fainted*—a variety of picqueting. Surely these punishments savour quite as much of severity, and are quite as degrading as flogging. It is a fortunate incident for the American soldier, that he can only enlist for the term of five years, while very few of them renew the period of their servitude."

watched and guarded, as so many convicts on their way to transportation, for the residue of the period for which they may have enlisted. The military posts on Governor's and Bedlow's Islands, in the Bay of New York, are the general rendezvous for all volunteers from the Northern and Eastern States, where they are continued, under *surveillance*, debarred all intercourse with the mainland, until they are subsequently shipped off, under escort, to join their respective corps in the South and West.

The mere handful of men, comprising the peace establishment of the army of the United States, is necessarily scattered over a wide extent of country, principally along the inland frontier, where they are stationed in advance of all civilization, pent up in forts of mere temporary and rude construction, in which they are decreed to pass through a wearisome and monotonous existence. These situations are generally unhealthy, ague and intermittent fever the prevailing disease; while the duties are harassing, and the entire life one of privation, without any of the advantages, the emoluments, or honours to be derived from a more active service. Perfectly isolated, as these outposts are—removed at a distance from any town or village, the soldier, apart from the same endless round of duty, is thrown upon his individual resources to pass away the time—to kill the hours of a tedious solitude, and beguile away the extreme loneliness of his situation. The supplies are always brought from a distance, which from accidental circumstances sometimes fail. To,

in part, obviate any inconvenience resulting from a casualty of this kind, a suttler is attached to each post, who supplies the garrison with every essential, on a reasonable advance on the first price, from the nearest market, and which is regulated by a self-constituted committee of officers, who determine the cost of each article as a necessary protection to them from imposition. A tax, by way of license, is exacted from these suttlers, a part of which is appropriated to the useful purposes of educating the children of the soldiers, and contributing to the charge of a general library and news-room, which are sources of no small recreation and enjoyment to men, who are so far removed beyond communication, or occasional intercourse with the world.

The United States arsenals are generally well kept and attended to, though with the very restricted means allowed by government for this purpose. Their cannon are all fashioned after the British, though seldom so well appointed or efficient in its practice. The American musquet is of good materials, well made, and costs about twelve dollars. An improved rifle, called, "Hall's Patent," has very lately been introduced into the service:—it is described "to load at the breech, which is elevated for this purpose by touching a spring, when a flask, with a double head, one containing powder, the other a magazine of balls, loads it expeditiously." This mode saves the tedious operation of loading with a ramrod.

The actual pay of the officers and men of the

American army is not equal to that of the British, but their allowances are considerably greater.

A Major General, which is the highest grade in the United States service, receives 200 doll. monthly, & 15 rations per day.

Brigadier General 104 „ do. 12 do.

Their Aides-de-Camp are entitled to 24 dollars monthly, in addition to their pay in the line, and 4 rations.

Colonel receives	75 doll. monthly, &	6	rations per day.
Lieutenant-Colonel	60 „ do.	5	do.
Major	50 „ do.	4	do.
Captain	40 „ do.	4	do.
1st Lieutenant	30 „ do.	4	do.
2nd Lieutenant	25 „ do.	4	do.
Sergeant	13 to 16 „ do.	1	do.
Corporal	9 „ do.	1	do.
Bugler	9 „ do.	1	do.
Musician	8 „ do.	1	do.
Farrier and Blacksmith	11 „ do.	1	do.
Artificer	11 „ do.	1	do.
Privates	7 „ do.	1	do.
Surgeon	45 „ do.	3	do.
Surgeon's Mate	30 „ do.	2	do.
Adjutant	10 „ in addition to his pay in the line.		

Each ration consists of one pound and a quarter of beef, or three-quarters of a pound of pork, eighteen ounces of bread, or flour, one gill of rum, whiskey, or brandy, and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles, to every hundred rations.

An officer commanding a company is entitled to ten dollars per month, for responsibility of arms and clothing.

Commissioned officers, below the rank of general, are entitled to an additional ration for every five years that they may have served.

Officers' subsistence is commuted at twenty cents per ration, forage at eight dollars per month, for each horse.

Officers are allowed the pay of a private soldier, two dollars and fifty cents per month clothing, and one ration per day for each private servant.

The army is by no means a popular or favourite service, and receives no very cordial support from the state. But it is quite a mistake to suppose that it is held in dislike by the general people, from the strong democratic tendency pervading the masses. If they have no very just reason to feel proud in the past services of their soldiers, they have as little cause to entertain any hostile, or unkindly disposition towards them; and believe, that their feelings are rather those of indifference, as to whatever may take place or concern them, than any other with which they may be charged.

The troops belonging to the several states or militia, are another and distinct body, in no manner to be identified with the troops of the line, with whom they are in every way disconnected; except in time of war, or in the event of internal commotion, when they become equally amenable to the orders of the General Government, though within the limit of their respective states only. This force, which in 1844, amounted to 1,749,082 men, is organized in divisions, brigades, and regiments;

each brigade consisting of four regiments; each regiment two battalions; each battalion of five companies; each company of sixty-four privates. There are officered to each division one major-general, and two aid-de-camps, who rank as majors; to each brigade, one brigadier-general, with one brigade inspector, to serve also as brigade-major. To each regiment of two battalions—1 colonel—1 lieut.-colonel—1 major: to each company—1 captain—1 lieutenant—1 second do. or ensign—4 sergeants—4 corporals—1 drummer—1 fifer—1 bugler—a regimental staff—1 adjutant—1 quarter-master—1 pay-master—1 surgeon—1 surgeon's mate—1 sergeant-major—1 drum-major—1 fife-major.

The allowance of bounty, clothing, and pay, to the non-commissioned officers, musicians, and privates of the infantry, artillery, cavalry of the militia, when called into actual service, is at the rate per month, viz. drum or fife-major, eight dollars; each corporal, drummer, fifer, trumpeter, seven dollars and thirty-three cents; farriers, artizans, saddler, eight dollars; each gunner, bombadier, and private, six dollars, sixty cents.

These troops are required to equip and clothe themselves at their own cost, but are armed at the expense of the state to which they respectively belong. They are expected to attend training, subject to the payment of a heavy fine, should they neglect, on stated days, throughout the year, when they more resemble the renowned veterans of Fal-

staff's legion than any organized military body of the present day. Their discipline, or rather their entire want of discipline of every kind, is so unusual and apparent, their distaste of a military life so great and unequivocally displayed on every possible occasion, that it would be a perfectly extravagant and visionary hope, to expect that any means to be resorted to, without comprising a complete revision of the present system—an entire remodelling of the principle of their organization, would render them the least efficient as soldiers, or that they could be depended on for the public defence, or on any other emergency whatsoever, in which they may be employed.

The annals of the last war are replete with incidents demonstrative of their entire inefficiency in the field, and where, with true Hudibrastic valour, unless entrenched behind some breastwork, or safe protection, they invariably secured a retreat, before even the pleasantries of the day had well begun; leaving the regular troops, in almost every instance, to stand the brunt of every engagament.

The few, whose military zeal may carry them beyond this aversion, are permitted to detach themselves from the regular state regiments, and form themselves into volunteer companies, and though continued on the strength and muster roll of their respective battalions, are allowed to assume any fanciful name as their proper designation; such as the "Munro Guards"—"the Mechanic's Rifle"—"the Washington Guards"—"red," "blue," and

"grey"—"Napoleon Cadets"—"Mifflin Greys"—"Lafayette Guards," and a variety of others, who all adopt some uniform, as fancy or mere inclination may suggest, and according to the will of the majority, without the slightest reference to its aptitude or propriety.

These troops turn out on all public or gala days; their gay dress—their strange variety of costume, tending to inspirit and enliven the scene; indeed they would seem as if organized and drawn together for no other possible or earthly purpose, their military skill and capabilities being strictly confined to marching and countermarching in subdivisions and sections, through the streets and principal thoroughfares of their towns and cities, for the edification of the boys and young children of the neighbourhood, and the delight of their female friends and acquaintances, to the discordant sound of some three or four wind instruments, and a half-strung bass drum, discoursing boisterous music—bedizened in their many coloured dresses, that form a strange medley of the national military costumes of almost every European nation;—of the armies of Republican and Monarchical France—of the Prussian, Russian, German, the Irish, and even the Scotch Highland garb; all that unrestrained fancy may suggest, except the British, to which they still preserve a most unconquerable dislike:—whilst every other colour, or shade of colour is admitted, scarlet is still, and pertinaciously proscribed amongst them. Their antipathies have never been more strongly

tested than in the following amusing incident that passed under our own observation in the city of New York.

It became necessary to select some new style of uniform for a lately organized volunteer corps, (we believe detached from a Captain Vincent's company) and which agreed, all prejudice aside, to adopt the British engineer dress, scarlet, with purple velvet facings, and gold lace, intending to make their first public appearance, on the then next Anniversary of the signing of the American Declaration of Independence, (4th of July) and which is universally set apart as a day of jubilee and public rejoicing throughout the United States. On this occasion, several volunteer companies of the city of New York, comprising about 2,000 of all shades and colours, turn out, as in every other city and town of the Republic, fire a salute, and afterwards march in procession through the public streets—the highways and thoroughfares of the city. This new levy, proud of their novel and gaily fashioned dress, in which they looked extremely well withal, repaired at an early hour to their private parade ground, preparatory to their assuming their appointed place in the general assemblage. But it soon became known to the goodly citizens, who on all such occasions are on the *qui vive* from a very early hour, that a corps so habited, in the military garb and favoured costume of their antient rulers, had taken up their line of march for the general rendezvous. Had it been proclaimed that a regiment of British Fusiliers,

or even the 85th with the gallant Thornton at their head, of whom the Americans yet bear a vivid recollection, had secretly landed, and with hostile intent had reached the outskirts of the city, they could scarcely have been more excited, than at this unprovoked daring of a portion of their fellow citizens; the feeling of dissatisfaction became general, expressing itself in half suppressed intonations of universal dissatisfaction, which occasionally broke through the gathering crowd, until it at length became so unequivocal in its demonstration, as to compel this really well appointed corps to forego the opportunity of taking part in the business of the day, and consult their individual safety by a speedy flight. On the 4th of July in the following year, they wisely projected a visit to Philadelphia, where the hospitalities of the local corps of that city were extended to them; the circumstance of their being strangers, protecting them from receiving any insult from the inhabitants. On the succeeding 4th of July, they in like manner availed themselves of the kindness of their Boston friends, from whence they also returned unmolested. What has since become of them we know not, beyond being assured that they have since changed their entire outward form, as necessary to their continuing under their original, or any other military organization.

But few Englishmen are to be found in the American ranks. Not so, the Scotch and Irish, especially the latter, who arrive in the United States in considerable numbers, frequently without means,

or provision of any kind, and who find this course their only and ready means of procuring a livelihood. There may be some excuse for men under this restraint, compelled to adopt a mode of living, we should hope, in many instances, repugnant to their better feelings; but there can be no apology for those, who in better condition—removed above every want, and who in almost every town and city in America, form themselves into volunteer companies, preserving their former and separate nationality, in name, character, and dress, though enlisted under the banner of the Republic, and calling themselves the while, American soldiers. There is scarcely a city of any note in the United States, in which an Irish volunteer corps is not to be found, clothed in the national colour, and ornamented with the harp, shamrock, and other national emblems. In like manner the Scotch, who on some occasions that we have witnessed, have so far mistaken the service due to their own country, or the respect owing to themselves, individually, as to assume the kilt, philabeg, bonnet, and other insignia, associated with their nationality and ancient chivalry. We have often looked upon these exhibitions, as we are satisfied every proper minded American must have done, with extreme loathing. It is surely no apology in pursuing this course, that these parties had made America the country of their choice—of their adoption; that it had become their home, and abiding place—the home of their children; and that their present and future interests were mixed up and identified with

its welfare:—they forego every excuse on this score, and disclaim every such pretext, by organizing themselves as a distinct body from the general people, and appearing on American soil, in the inappropriate dress of the nation and government they have abjured—the country they have voluntarily abandoned. Marshalled at the tail end of every military procession or movement, in which they are permitted to take part, they seldom succeed in securing the respect of a single American, many of whom we have often heard express themselves disparagingly of their conduct, and by which they can scarcely fail to depreciate their country, if indeed, that it can at all be affected by this humiliating example, in the opinion of sensible or thinking men. If that to live secure in this stranger land, in which they have embarked their fortunes, they find it necessary to proclaim their adhesion to its government and institutions, and to convince their fellow citizens, with what ease they can doff their ancient allegiance, and identify themselves, their conduct and feelings with their newly adopted country, let them in the name of common sense and a better discretion, do so, in some other less exceptionable form; or if they must appear as soldiers, let it be under the sanction of their naturalization, and as already admitted citizens of the Republic, either in the prescribed uniform of its national troops, or in any other fancied dress with which they may be permitted to adorn their persons; but let them no longer continue to represent themselves in military garb and organization,

as the subjects of another country, and continue in the ranks of this or any other foreign power, (whom they may be assured owes them no extraordinary good will) in the national and distinctive dress of that country, with which they have severed every other tie, and association, and which under any assumed, or possible circumstances they can claim no right to insult, by these unsanctioned and unseemly exhibitions.

The appointment to commissions, as also the promotion of officers to vacancies, in the troops of the line, rests with a committee chosen from the army commissioners; with the sanction of the President, but which in the state regiments or militia, is placed under a very different organization. The post of Major-General, the highest grade in the armies of the United States, instead of being made dependent on seniority, or distinguished services rendered to the country, is in the appointment of the District Field, and staff officers. All other commissions, belonging to the militia, including the more important ones of Brigadier-general, Colonel, Field Officers, Captains, and even subalterns, are in the gift of the "Sovereign People"—under the control, and as it may be supposed, under the very inefficient management of the democracy of the country, at least in a large proportion of the States; the appointments being made to continue, in most instances, for a term, of from five to seven years; at the expiration of which time, the entire batch, at the discretion, very possibly at the caprice of the "sovereign will,"

are perhaps turned to "the right about face," to make way, according to Republican rule, for some new aspirant to military fame and honours—often chosen from the humbler classes of mechanics, or working tradesmen, and who, placed in an unexpected command by these means, have frequently to commence their military studies—to learn the rudiments and introductory rules of a difficult profession, at a time when service, and a lengthened experience with military life, is so necessary to guide them in the performance of the many and complex duties thus suddenly imposed upon them. It is in no wise difficult, from this mode of selecting the officers of the American State troops, to account for their general want of discipline—for their wretched inefficiency when called into active service—their want of confidence in themselves, and in each other, and we may with equal truth assert, their admitted general deficiency in all the essential qualities both moral and physical, so necessary in the formation of a good soldier.

The mode, and particulars connected with these appointments, will appear to a stranger, especially of the old country, as somewhat exceptionable; they are every where of the same character, and in many instances, are sought after, and contested, with an earnestness and acrimony mixed up in the proceedings, incredible to any but an eye-witness. Nor are the older or more settled States exempt from these exhibitions. We recollect being present in the quaint city of Philadelphia, at one of the most viru-

lent and embittered contests for public support and favour, we ever recollect to have witnessed in any country, or under any circumstances. Abuse and invective of the most unbecoming kind, seemed the 'order of the day,' while the walls of the city of "Brotherly Love," teemed with placards of the most offensive character, assailing some one or other of the many candidates who presented themselves for military distinction. The election was authorized by a published notice from the Brigade Inspector, who pointed out the time and several localities, where the election was to take place. The votes, to be by ballot. The various appointments to be filled up, consisted of—One Brigadier-general; one Brigade Inspector; one Colonel; one Lieutenant-colonel; one Major for each battalion.

The contest, after a severe struggle between the respective candidates, was brought to a close by the election of a Captain Fritz, of one of the volunteer corps, to the post of Brigadier-general. General Fritz, was an inoffensive, peaceable and kind man—a working *stone-cutter*, in this "keystone city," as Philadelphia is often called. A Major Sutton was promoted to the rank of full Colonel, the other vacancies were filled up, by private citizens of various trades and callings, being appointed to them.

The following published notice of Colonel Sutton's appointment, appeared in a leading Philadelphia paper.

"We are happy to announce to the American public, the election of Major John Sutton, as Colonel of the 4th regiment of Pennsylvania milita, by a handsome majority over all his distinguished competitors. Major Sutton is a zealous friend of the party of the people," (rather a novel recommendation we opine for *military* distinction,) "and a decided Mulhenbergh man.* Bets ran high that Major Wm. O'Kline would succeed; but Wolfism,† ruined his prospects.

"The following is the result of the election for Colonel of the 4th regiment of Pennsylvania militia.

"Major John A. Sutton, *Glass-blower*, of Kensington, *Painter* and *Author*, 179 votes.

"Brigade-Major, William O'Kline, Attorney at Law, Deputy Clerk of the County Commissioners, Member of the Board of Health, received 168 votes.

"Colonel Joseph Justice, *Printer*, of the North Liberties, had 144 votes.

"Mr. Isaac Stow, of Kensington, *Shipwright*, received 110 votes.

"John A. Sutton, the People's candidate, was duly elected."

From this mode of selecting the officers of the American state troops, it is by no means difficult to account for their general want of discipline—their wretched inefficiency when called into active service—their want of confidence in themselves and in each other, and we may with equal truth assert, their admitted general deficiency in all the essential

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* Mr. Mullenbergh was the democratic candidate for the Governorship of the State of Pennsylvania at the time.

† Alluding to the political party of George Wolff, the then Governor of the State.

qualities, both moral and physical, so necessary in the formation of a good soldier. In no instance during the late war, were they able to withstand, in fair and open fight, the attack of regular troops, however disproportioned their numbers:—a desultory and unconnected warfare—an irregular species of detached bush fighting, especially favoured by the nature of the country, has always been the mode best suited to their military capacities, and more in accordance than any other with their accustomed habits. Familiarised to the use of fire-arms, from their infancy, they are generally excellent marksmen, and if conscious of sufficient protection for their persons, enabling them to take undisturbed aim, always fire with precision.

The history of the late war, shews an extraordinary disproportion in the number of British killed and wounded, of officers and men, the former being frequently picked off, or disabled from behind some break, or jungle, before that they had hardly time to become fairly engaged with the enemy. The general features of the country, favoured this mode of attack. It is this peculiarity which renders the American people all powerful in their defences—the protection of their territory; and that opposes, in the generally uncleared state of the country, the most formidable obstructions to any invading force upon her soil; while, on the other hand, they are miserably weak and impotent in all aggressive warfare. "If you fight with art, you

are sure to be defeated. Acquire discipline enough for concert and uniformity of combined action," were the orders of General Washingtou, to his troops of the Revolution—on which many of their former successes were made to depend, and which seems to be continued as the governing principle, on which the military system of these States, to the present day, is based.

Several times, on the other hand, have the Americans attempted an invasion of the Canadas—its subjugation and severance from the British Crown. It was of the objects always near to their ambition, which they most eagerly sought after, as one of the early anticipated consequences of their late war with England. "Canada must be conquered," proclaimed the official organ of the Administration on the promulgation of hostilities between the countries, "or we shall stand disgraced, in the eyes of the world. It is a '*rod held over our heads*,' a fortress which haughtily frowns upon our country, and from which are disseminated throughout the land, the seed of disaffection, sedition and treason. The national safety and honour and glory are lost, if we do not win this splendid prize." On five several occasions did America rally for this purpose the power and might of the nation, and risk the fame and honour of the country on the hazard. Still, were her efforts each time unavailing—her enterprize defeated—her soldiers repulsed and covered with disgrace, and by a mere handful of young and inexperienced troops, the strength and *elité* of the

British army, being at the time engaged in a more extended field under the Duke of Wellington.*

In closing with this chapter, our remarks on the armies of the United States, we are reminded of the unusual disproportion of the number of regular troops of the line, with those of each State. When considering the miserable and incongruous materials of which this mere mass is composed—the entire absence of every pretence or military qualification, there is less difficulty in accounting for any unpopularity in which the American army is held by the general people. There is no daring adventure, no signal act of valour—no exploit on record, since the War of Independence, to particularly distinguish the prowess or capabilities of the United States as a military people, or to relieve its armies from the reproach of their repeated defeat; we will not except their victory at New Orleans, which is always placed in front of their military achieve-

* The following are the several occasions, on which the invasion of the Canadas have been attempted.

1st.—Under Brigadier General Hull, from Detroit, 1st July, 1812.

2nd.—General Van Ransselaers, 12th and 13th of October, 1812, at Queenstown, almost immediate defeat, and precipitate retreat with the loss of half the army.

3rd.—General Smyth, 28th November, 1812, at Fort Erie, with 4,500 men, scarcely attempted when "abandoned for the season."

4th.—General Dearborn, 27th April, 1814, at York, now Toronto, Upper Canada, soon after abandoned.

5th.—General Harrison, 27th September, 1813, three miles below Amherstburgh.

ments, secured to them by the merest strategy and finesse, but more than all to be attributed to the unpardonable blunder—the compound of chivalric daring and folly of the British Commander, rather than to any moral or physical superiority of the materials of which the American army was composed on this occasion. The British troops were here led on to an indiscriminate slaughter—the destruction and havoc in their ranks, testing that cool intrepidity and daring, so eminently characteristic of the British soldier above every other; that never slumbers in its time of need, and that yields only unto death. Over no other troops could the same victory have been had, for no other soldiers would have so perseveringly followed to their destruction, the orders that led them onward against every chance, or remote prospect of success. Every shot of the Americans told with fatal effect; whilst they stood entrenched behind an impenetrable barrier, a breastwork, made up of cotton bales, that sheltered them from every opposing fire, and effectually sustained them in the unequal conflict. All must deplore the unnecessary sacrifice of human life on this occasion, the more especially, when bearing in mind, that under any other fit and competent leader, New Orleans might have been taken, with less than one half the number of troops brought against it, and probably *without firing a shot.*

There is a calumny that has often gone the rounds in connection with this fatality, and notwithstanding its extreme improbability, has found ready

credence in many parts of the United States, promulgated by an unprincipled and hireling press, that to gratify an angry and jealous feeling against Great Britain, has ever and anon introduced the subject to public notice:—we allude to the promises stated to have been held out by the lamented commander of the British troops, Sir Edward Packenham, who was killed early in the action, to deliver up the city of New Orleans, in the event of its capture, to the mercy and plunder of a rude soldiery; and that "*Beauty and Booty*," were the "password" and "countersign," given out to the troops on the day of the attack, as an incentive to their ardour, and the prize that was to reward their anticipated victory.

We might indeed be content to rest the entire refutation of this base and slanderous imputation, alike reflecting on the character of the General, and the army under his command, upon the good and amiable qualities, for which Sir Edward Packenham was always so remarkable—his rigid notions of a soldier's duty, with the lofty and chivalric honour he was known to possess; but more especially, on the reputation—the stern discipline and admitted character of British troops. Still, there are men so tainted, so thoroughly selfish and contracted of human intellect, who in the bitterness of a deep-seated national prejudice, will give faith to every exaggeration—assume the correctness of every calumny that may fleet across them, as an offering to their individual pride and national self-love. With such

men, no contradiction would suffice—no assurance bring any reasonable conviction with it. It were idle to reason with them on the absurdity of their assumptions, or adduce any evidence before them of their folly. They generally adhere to their first opinion, because that it is the one they had first assented to, and turn from every reasonable made effort to convince them of their error. It were needless to take trouble with men of this stamp, while anxious to set right the more rational and just of the American public, and amongst whom we regret to think, this vile slander against the morality and discipline of the British army, obtains to this day, a very general circulation and belief. Still, we assert, that a fouler libel—a more despicable calumny, was never concocted, or uttered against any man, or any set of men, than the conduct attributed to Sir Edward Packenham, and the gallant troops under his command. There was neither such a password, or countersign, as is asserted, given to the army on this occasion, nor was the expectation or hope of plunder under any form, held forth to them, as a stimulant or reward to their gallantry, in the expected capture of the city—we speak advisedly, having had good reason to be well acquainted on this subject.

The following summary contains an account of the organization of the State troops, the laws in force in each locality, for their regulation and government.

Maine.—The military force of this State, comprises eight divisions, one of which is under the command of the Major-General. Military duty is required of able-bodied white men, from the ages of eighteen, to thirty-five, and those between thirty-five and forty-five, are required to be constantly equipped, and to send their equipments to the place of annual inspection, and to attend the election of company officers. Officers of the government, and ministers of the gospel, are exempted; and persons, who have held commissions in the militia, less than five years, and have not been superseded, are exempted by paying two dollars annually.

The equipments required of the Infantry, consist of a good musket, cartridge-box, bayonet, scabbard, priming wire, brush and spare flints; of the Cavalry, sword, pistols, &c.; of the Artillery, sword; of the Riflemen, rifle, powder horn, pouch, &c.

The fine for non-appearance at each company training, is four dollars; at the regimental review, five dollars.

New Hampshire.—The militia of this State, comprises three divisions and six brigades.

All free able-bodied white male citizens, from the ages of eighteen to forty, are liable to do military duty, and those from forty to forty-five, are required to keep themselves equipped:—except various United States, and state, judicial, and civil officers, ministers of the gospel, officers, and students of colleges, preceptors of academies, all who have held

a military commission for the term of four years, Quakers and Shakers, drivers of mail stages, wherrymen, &c.

Every company of the militia is required to meet annually, on the first Tuesday in May, for inspection; also once in each year by order of the commanding officer; and each regiment is required to be called out annually, between the 1st of September, and the 15th of October.

Each non-commissioned officer and soldier, is required to be equipped with a good fire-lock, bayonet, scabbard and belt, cartridge-box, knapsack and canteen; the fine for non-attendance at a company training, is two dollars, at a regimental muster, three dollars.

Vermont.—The militia of this State, comprises three divisions, and twenty-seven regiments of Infantry; and to each regiment is attached a company of Artillery, of riflemen and light infantry, and in some cases, a troop of dragoons. The Governor is *Captain-General*, and the Lieutenant-Governor, *Lieutenant-General.*

Massachusetts.—The troops of this State, comprise seven divisions, each commanded by a Major-general; and sixteen brigades, each under the command of a Brigadier-general.

Every white citizen residing within the commonwealth, who is of the age of eighteen years, and under the age of forty-five, except persons exempted, is enrolled in the militia.

Persons exempted from military duty, consist of

officers in the Government of the United States, including post-masters, post-riders, drivers of mail coaches, custom-house clerks, &c.; certain state officers, as judges, registers of probate, sheriffs; persons who have held military commissions, ministers of the gospel, Quakers, Shakers, enginemen, &c.

The equipment with which each soldier is to be furnished, consists of a good musket, bayonet, belt, two spare flints, knapsack, cartridge-box, twenty-four cartridges; or with a good rifle, knapsack, shot pouch, powder horn, twenty balls, and a quarter of a pound of powder.

Fines for non-attendance at parades, annual inspection, the same as in the State of Maine.

Rhode Island.—The militia of this State, comprises but one division, and four regiments; and are organized as in the other States.

Connecticut.—The military force of this State, comprises three divisions, commanded by Major-generals.

All able-bodied white citizens, from the ages of eighteen to forty-five, (of those from thirty-five to forty-five, but little is required) are subject to the performance of military duty, except various civil judicial officers of the state and the United States, men who have held military commissions for a term of years, and have been honourably discharged, licensed physicians, and surgeons, ministers of the gospel, presidents, professors, tutors, and students of colleges.

Military duty is required to be performed three days in the year. Every soldier is required to be equipped in the manner prescribed by the act of Congress; and the fine for non-appearance is four dollars.

New York.—The military establishment of this State, comprises three divisions of Cavalry, four of Artillery, three of Riflemen, and thirty-two of Infantry.

All able free male white citizens, between the ages of eighteen and forty-five years, are subject to military duty, except various United States, and state, judicial, and civil officers, ministers of the gospel, teachers and students in colleges and academies, and teachers of common schools, firemen, &c.

The militia is required to parade at stated periods, as in the other states, between the 1st of September and the 15th of October, in each year, fines from two dollars to fifty, for non-attendance.

New Jersey.—The militia of this State, comprises four divisions. All able-bodied white male citizens, from the ages of twenty-one (in time of peace, and eighteen in time of war), to forty-five, are subject to perform military duty, with the exceptions as in the other states.

Military duty by regiment is required once only in every year; and by brigade at the discretion of the Brigade board.

The equipment required is a musket. The fine for non-attendance of an officer, five dollars—for a non-commissioned officer or private, two dollars.

Pennsylvania.—The militia of this State, comprises sixteen divisions, and thirty-three brigades, and amounted in 1837, to 171,053 individuals—Volunteers—Cavalry 4,699, Artillery 2,842, Riflemen 11,392, Infantry 14,831—Total 204,799.

All free, able-bodied white male persons, between the ages of eighteen and forty-five, are enrolled in the militia, with the exceptions that exist in the other states. But no enrolled militia man, under the age of twenty-one, is required to parade or train. The days for parading, with fines for non-attendance, are regulated much in the same manner as in the other states. No equipments are required for the militia.

Delaware.—The latest return of the militia of this State amounted to 9,229, but no militia law appears to be enforced

Maryland.—The troops of this State, comprise five divisions, each commanded by a Major-general.

Abstract from the Adjutant-general's return of the militia in 1838; General staff 80, Cavalry 2,594, Infantry 41,862, Riflemen 723—Total 46,899.

Organization the same as in other states.

Virginia.—The militia of this State, comprises five divisions, and twenty-two brigades; five regiments and 71 companies of Artillery—149 regiments of Infantry of the line; five companies of grenadiers; 77 companies of light infantry; 124 companies of riflemen; and 973 companies of the line. General staff 94; Cavalry 7,734, Artillery 5,002, Infantry 88,718—Total 101,611.

Organization, days of inspection, or duty, with fines for non-attendance, same as in the other States.

The foregoing enumeration may be considered explanatory of the military arrangement, adopted in the remaining States of the Republic, presenting a large numerical force, it is true, but so utterly incapacitated, from the entire absence of all discipline amongst them, or the least instruction in the ordinary routine duty of a soldier's life, that their very numbers may be said, to constitute one of the principal ingredients of their weakness—whilst unfitted to encounter any of the risks or dangers of an active military warfare. We turn from this arm of the national defence to the consideration of a far more important one—the navy of the United States, with which the public sympathies, on the other hand are in full accord, with which the pride of the Republic is more immediately identified, as well its future safety—its prosperity and well-being.

CHAPTER IV.

Navy of the United States—First date of its existence—United States Navy, in 1799 and 1812, when at war with Great Britain—American Navy and appropriation in 1844—Its efficiency—Naval exploits of the last war—Capabilities of the Nation to become a great naval power, considered—Inadequacy in the number of American seamen, to supply her Marine—Restraint of a seaman's life, unsuited to American taste and habits—Coasting Trade of America—Late War between Great Britain and the United States—Opportunities of the latter to test her capabilities as a naval power—American privateer and letter of marque—Public press in relation to the National Navy—The embargo and non-intercourse acts of the late War—Naval Power of Great Britain, in 1812—Summary of the principal recorded actions between the national vessels of the United States and Great Britain—American men-of-war—their general faulty construction—Mercantile Navy of the United States—The enticing of British Seamen into the American Service.

THE Navy of the United States, may be said to date its existence from the 27th day of March, 1794; on which memorable day, the United States Congress passed an act for the first formation of a naval force. The depredations committed at this time, by the corsairs of the Barbary Powers, on the commerce of the Republic in the Mediterranean Seas, irrespective of any other consideration, made this a measure of paramount necessity. Four ships of 44

guns each, and two of 36 guns each, were directed, by this order, to be immediately laid down. There were, however, several armed vessels in commission during the Revolutionary War; but even these, dwindled into insignificance, long anterior to its close, either from the want of funds, to continue them in commission, occasioned by the depreciation of American paper currency—the other numerous demands upon the monied resources of the country, or perhaps, from the close alliance then subsisting between the Insurgent States and France, which supplied a naval force, wherever such was required, or could be made available. The few ships constituting the United States Navy, at the close of this war, were sold, by order of Congress, on its termination.

The accession of Mr. John Adams to the United States Presidency, in 1797, gave a fresh impetus to the advance and general improvement of the American marine, to which the energies and mind of this statesman, was at all times directed; and from which circumstance, he has earned the proud title bestowed on him by the general assent of his countrymen, of the "Father of the American Navy."

In 1798, and during his administration, there were twenty vessels of war in the service. In 1799, upwards of thirty. A law had also received the sanction of the legislature, directing the building of six seventy-four gun ships; but from some ill-understood cause, this law was never carried into

effect. In 1801, the United States Navy consisted of the following, viz.

The United States,	44 guns.		The New York	36	guns.
„ President	44	do.	„ Congress	36	do.
„ Philadelphia	44	do.	„ Boston	32	do.
„ Constitution	44	do.	„ Essex	32	do.
„ Constellation,	36	do.	„ Genl. Green	32	do.
„ Chesapeake	36	do.	„ Adams	32	do.

The Naval force of America in 1812, the year of the commencement of the last war with Great Britain,—one of the most important, as well as instructive in the past history of the United States, consisted of three ships of 44 guns—three of 36 do.—four of 32 do.—one of 24 do.—four of 18 do.—three of 16 do.—four of 14 do.—one of 12 guns, and one schooner, besides gun-boats.

Such was the numerical strength of the United States Navy, in 1812, to which the limited duration of the war had scarcely enabled her to make any addition, previous to its termination in 1814. Since then, however, the United States has considerably added to its marine force, which, in 1844, consisted of the following, viz.—

10 Ships of the line, generally carrying 100 guns. The Pennsylvania included, 146 guns.

13 Frigates of the 1st class, rated at 44 guns, and mounting 62.

2 Frigates of the 2nd class, rated at 36 guns, and generally carrying 48 do.

17 Sloops of war, of the 1st class, rated at 20 guns, and generally carrying 28.

6 Sloops of War, 2nd class, rated at 18 guns, and generally carrying 22.

7 Brigs, rated at 10 guns each.

8 Schooners, rated 10 guns each.

8 Steamers—1 of 10 guns—1 of 4 do.—the remainder without armament.

4 Store ships.

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75 Vessels of all denominations, and which were disposed of as follows.

Description.	In Commission.	In Ordinary.	Building, or on the stocks.
Ships of the line	3, as receiving ships none on sea service.	2	5
Frigates of the 1st class	9	1	3
do. 2nd do.	1	1	
Sloops of War, 1st class	12	1	4
do. 2nd do.	3	3	
Brigs	6	1	
Schooners	4	4	
Steamers	6	2	

Those in commission are principally stationed in the Pacific—the Brazils—the Mediterranean—the East and West Indies.

The crew apportioned to each vessel, generally consists, in	
ships of the line	834 men.
First class Frigate	453 do.
2nd do. do.	367 do.
Sloops of War	188 do.
Schooners	55 do.

When reviewing this state of the American navy, its distribution, together with the large amount of American merchant shipping scattered over every sea, it will naturally excite surprise, that so very

small a naval force should be found sufficient for its protection. But it must be borne in mind, that America has no foreign possessions requiring an armed marine for their defence—no trade with any country, where her mercantile relations are not fully and firmly established, whilst in those latitudes, that heretofore, or even in the present day, any interference might possibly be apprehended, there is always a sufficient force of some naval power near at hand, to suppress piracies, or other lawless interruptions. Besides, the United States is removed beyond the every day influence of European politics, which might otherwise require her to support a more formidable navy, to meet any sudden emergency, or apprehend danger, to which so unprofitable a connection would, no doubt, more frequently expose her.

Though the United States navy is limited in the number of its vessels, and is considerably less than many of the maritime nations of Europe, it has nevertheless made itself of some consideration, from its discipline and the general efficiency of its ships in commission. With the British navy for its model, the Americans carefully introduce every improvement which it suggests, at the same time, that they owe many of the advantages they possess to their own enterprise and peculiar spirit—their intelligence and extraordinary mechanical turn, that is continually seeking to improve upon the means already within their reach. With the materials for ship building, in which the United States abounds, they

have succeeded in the creation of a merchant navy, that in the peculiar structure and beauty of its vessels—more adapted, it is true, for making quick and expeditious voyages, than for the transportation of any very heavy freights—stand unequalled in this respect, by the merchant ships of any country in the world; at the same time, that their general discipline falls very little short of that which is observed in their men of war. They are proud, and perhaps justly so, of their partial resistance to the naval force, that Great Britain brought against them in the last war, whilst if they could afford to speak of it with any degree of moderation, would entitle them to some better consideration; but the language to which they are prone on all such occasions, is so deeply tinged with misrepresentation, and the veriest bombast—so extravagant in its delineation and general tendency, that many of their exploits, if allowed to speak for themselves in the plain language of simple truth, would redound to their credit, and shed a lustre round their little navy, become dimmed and comparatively unimportant, by the forced and unnecessary embellishments with which they are dressed up—the false position in which they are usually placed before the world. Those acquainted with this peculiar and national failing of the Americans, are constrained to receive their statements with some degree of hesitation, and to require some more unexceptionable authority, than the native citizen or historian, on this, or indeed on any subject, in which the national character is

mixed up, or in which, the nation, may in the least be considered, an interested party.

The United States has always hitherto adopted a principle in the construction of their men of war, of building a class of vessels of an armament, far exceeding their classification, or mere nominal size —their frigates, fully equalling the old British 64-gun ships, carrying guns on their gangways and spar-deck, and which secured them a double tier of artillery on either side. Many of these first class frigates were laid down on the keels, and built with the scantling of 74's, which ensured in their unusual size, and increased accommodation between decks, an advantage, that seamen can at all times fully appreciate ; materially assisting them, both in the manœuvring their ship, and working their guns when in action. They extend the same practice to their vessels of a smaller class, and construct the entire of a size, far beyond what foreigners could reasonably estimate them, under their respective ratings as frigates, and sloops of war. This senseless and paltry artifice, suggested it is even said, by the immortal Washington, was somewhat unfair towards an enemy in any legitimate and open warfare, however well it may have answered any special object, or have succeeded for the while, in deceiving the rest of mankind, into a belief of American prowess, including a majority of their own citizens, who even at the present day can scarcely credit, that the British frigates Guerriere and Java, were of unequal tonnage and armament, with the American

frigate the Constitution—the Macedonian with the United States—the Endymion, with the President, or even, that the Shannon and Chesapeake, in these important qualifications, were unfairly matched. There is a subterfuge, a want of candour in all this, to say the least of it, with which the Americans nevertheless, can at all times bear to stand charged. But the imposition can no longer serve the same petty purpose, as the French and British navies have since accommodated themselves to this standard, and now build their men of war of a similar class, though under very different ratings.

Admitting the general efficiency and high state of discipline of the American navy—the immense resources within her reach, to the formation of a large national marine—with the untiring energy and enterprise of her population, we nevertheless find it difficult to become reconciled to the doctrine promulgated by many of our modern quidnuncs, who in the wild fancy of an exuberant imagination, anticipate the early recognition of these states, as among the first naval nations of the world; much less are we prepared to concede to her public men and political writers, who assume to direct the national opinion in such matters, and who insist with this position, their country being destined at no very remote period, to contend with Great Britain, for the supremacy and mastery of the seas, which she had so long and fearlessly maintained against the world in arms. That the United States should nurture such a pro-

ject, or aim at the establishment of a national marine such as that of England, or of France, with whom in 1836, she was so ready to "break a lance," betrays an improper estimate of her own capabilities —a lamentable ignorance of her actual means and power of accomplishing this purpose; as, though she may retain within herself all the mechanical requisites for such an undertaking, and draw from her inventive genius, her immense internal resources —her boundless forests—her rich productive mines, yielding nearly all the requisites in the building and formation of a numerous and powerful fleet—yet, from the acknowledged influence of her peculiar form of government, by which the habits and temper of her population are in a great degree moulded—her geographical position—the especial or peculiar nature of her sea coast, and above all, the facilities that are afforded to every American citizen of usual industry and perseverance, to acquire an independence, at least, a competency, through other and less hazardous means, also lessening his temptations to undergo the restraint—the privations, and many hardships that encompass a seaman's life, will impose an insuperable barrier to the procurement of a sufficiency of hands to man even a moderate squadron of cruizing vessels, or without that the United States should abjure the first principles of her constitution, and adopt the means assumed by England during the last war, of compulsory enlistment.

We need not wait till America may be again involved in hostilities, to sustain this belief by any actual demonstration ; for a measure of impressment was strongly recommended to Congress, by the American Secretary of the Navy, towards the close of the last war with England, as *the only possible means* of filling up the vacancies, and continuing in commission the 22 vessels of all sizes, frigates, brigs, sloops, &c. which formed the then navy of the United States.

The following, equally corroborative of our opinion in this respect, is taken from the report of the managers of the Port Society of the City of Boston, composed of intelligent, practical, and thinking men, and which we submit for the reader's perusal. After making some allusions to the "degenerate and deteriorated state" of the American merchant navy, the statement goes on to say :—

"We consider very briefly what those causes are. The first of those causes of deterioration, is we think the general and disproportionate increase amongst us of foreign, without any adequate or successive supply of native American seamen. This is in our opinion a subject of very great importance, and deserving the most serious attention. If it were possible to obtain an accurate census of the seamen throughout the country, which probably it is not, the eyes of the nation would be open to the full extent of what may well be termed, a national misfortune. Upon the testimony and authority of experienced ship-masters who are still in business, and well qualified to judge, we feel justified in expressing our belief that *two-thirds* at least of the seamen sailing in American bottoms, exclusive of those

engaged in the fisheries, are foreigners.* This, if but an approximation to exactness, shews certainly a most alarming state of things, for which it behoves all lovers of their country to devise a remedy. It is true that by the laws of the United States, a heavy duty is exacted from every vessel, unless her officers and two-thirds of her crew are native citizens; yet it is very well known, that as a matter of necessity, owing to the scarcity of native seamen, these laws are in practice inoperative and null. More than this, the very laws intended doubtless to improve the character of seamen, had led indirectly to a traffic in protections so fatal in its effect upon the seamen's character, that it needs, we think, expressly to be exposed. To those then not acquainted with the subject, it may be necessary to state, that a protection is a certificate of citizenship, under the hand and seal of the collector. It is given at the Custom House on the payment of a small fee, and the exhibition by the sailor, of his proofs of citizenship. If an American by birth, he must satisfy the officers at the Custom House of such fact. If a naturalized citizen, his evidence of citizenship is the record of naturalization. Now, in order to save the tonnage duty, before a vessel can be cleared, the Captain is required to prove at the Custom House, that the proportion of his crew required by law are citizens. This he does by shewing there the competent number of protections which it thus becomes a great object with the seamen to obtain. In the meantime, a trade has been carried on in these protections. It is quite notorious, that like other articles in the market, they are bought and sold, sometimes they are furnished by the shipping masters, sometimes by the landlords, and sometimes by the sailors themselves, those to whom they rightfully belong, having died or parted with them. Aliens who have no right to them step into their places, and

* By a report presented to Congress in the last year, 1844, it appears that the number of seamen in the American merchant service, amounts to about 109,000. Scarcely more than 9,000 of which were native citizens.

assume their names. Two-thirds of a crew may thus not unfrequently, be found, sailing under false colours."

And adds, with a spirit of fairness, the more valuable in an important document of this kind.

"Of the danger from these protections in a national point of view, the origin of our last war with Great Britain is a sufficient memento."

The report, which was made so late as the year 1836, goes into other details, connected with the general treatment and shipment of seamen, and is signed by "Samuel Cabot, President of the Board of Managers of the Port Society of the City of Boston, and its vicinity," and countersigned, "J. Kemper Davis, Secretary."

We have in this, a most valuable, instructive and highly important document, calmly and dispassionately recording the deliberative and settled opinions of as influential and respectable a body of American citizens, as are to be found within the Republic—speaking to facts within their own positive knowledge —with which they were themselves immediately connected—on which they have expended much laborious and patient inquiry, and of which they can have no possible motive for misstating to the world. Yet, what a commentary does this report bespeak on the misrepresented circumstances that occasioned the late war with England! and withal, what a triumphant reply to those who have called upon Great Britain, to surrender her most valued privileges—to abandon her high and elevated position as the first maritime nation of the world, at the dictation, or

mere bidding of America, who no doubt would be best served, by an entire change in the governing principle of her conduct as a belligerent power, as also, by an entire abandonment of the control, uniformly exercised over her own subjects, under the provisions in her constitution.

It will readily be conceded, that to constitute a great naval power, it is not merely necessary that vessels of war, of a sufficient number, composed of proper materials, and otherwise well found, should be constructed and put afloat, but it is also necessary, that such vessels when put into commission, should be well and efficiently manned; not indeed with a body of raw and inexperienced landsmen, forced together by some sudden exigency, but by a well trained, daring and experienced body of seamen, inured to hardship and peril, to whom a life on ship board, presents the inducements of long habit—early and fixed associations. Impressment as a means, though often glanced at, and even recommended to the adoption of Congress, can never be resorted to in the United States for this purpose; for so long as the constitution recognizes the principle, that "all men are created equal, that they are endowed with certain inalienable rights—that among these are life, liberty, and the pursuit of happiness," we apprehend she can never sanction any law, that may in the least infringe upon these inherent rights—impose a restraint upon the freedom or personal liberty of any portion of her white free citizens, (her black population, as we have shewn,

are under a very opposite legal interpretation,) or compel them by legal restraint to adopt any particular calling or mode of life, repugnant to their wishes, or unsuited to their general habits. The impressment of American seamen, even were the country steeped in foreign war, would not, we verily believe, be admitted or tolerated for an hour, no matter the anticipated substantive good, that might possibly result from this admitted infraction of the constitution; whilst the only means that the United States would still possess, for manning her fleets, would be, as it now is, from voluntary enlistment.

It can very easily be imagined, that the discipline so necessary to secure efficiency on board of a man-of-war, is the least suited to the taste and disposition of an American citizen; who of all other men is the most impatient of restraint, and the last to feel satisfied with a life of continued submission to the will of others, especially of those, whom his peculiar form of government—his early education and habits had instructed him to look upon, as his co-equals in all things. The life of a sailor affords too few inducements to his restless and speculative turn, and falls very far short in his belief, in securing to him any of the advantages or prospects of individual gain, that usually govern his predilections. If forced by necessity or want, he will choose to risk his fortunes in the wilds and fastnesses of the "distant west," than to eke out a life of severity and hardship on shipboard, where his means are circumscribed—his efforts necessarily restricted, and his

innate spirit of enterprise and speculation checked in its incipient growth, and a consequent restraint placed upon every anticipation of advancement or future independence. For how few there are who in the merchant navy, amidst the many who make it their profession, and are fortunate to escape the risks and chances of a seaman's life, who arrive at distinction or worldly comfort, to at all reward them for the many difficulties and privations incidental to their condition, or the many hair-breadth escapes they have had to encounter in the pursuit and waywardness of a dangerous and laborious occupation.

Still, it may appear paradoxical, that with an active and rapidly increasing population, such as that of the United States, with a sea-board, reaching from twenty-five to forty-five degrees of north latitude, comprising an extent, including the Florida and Louisiana coast, of nearly 2000 miles, and with a foreign carrying trade, second only to that of Great Britain, America should, nevertheless, be unable to procure from among her own citizens, a sufficient body of effective seamen to man her fleets, but that she should be compelled to trust to foreigners for this important and necessary aid. This difficulty, nevertheless, can easily be accounted for, when we consider, with the facts already stated, that generally along this line of coast is a poor and thinly scattered population, whose wants are mostly confined to their own immediate means of production, who possess fewer roadsteads or harbours,

if we except the Eastern, or New England States, than are to be found in the same extent of civilized country throughout the world, with an unusually restricted coasting trade, (which in England is the cradle and school of her hardiest and best seamen,) not only occasioned by the peculiarly unfavourable character and nature of her coast, but from the fact, of her otherwise possessing a very superior river and canal navigation, superseding every other mode of transit—of internal or inland conveyance, and running nearly parallel, and within a short distance of her shore, intersects six of her principal Atlantic States, enabling her citizens to transport goods, and the heaviest description of merchandize from the city of Quebec, on the Saint Laurence, to the town of Norfolk, in the State of Virginia, both ports of entry; traversing a distance of near 900 miles, and taking in its route the principal Atlantic cities of New York, Philadelphia, Baltimore, besides many others of a secondary note.

Nor, is it at all probable, that as the United States multiplies her resources—increases her population, and advances in general improvement, she will change the present uninteresting features of her sea-board, where seamen generally imbibe their early and settled predilections, or that with her advance in civilization—her increased trade, and external commerce, we may anticipate the rise and establishment of other maritime towns and cities on her shores; as independent of the few natural harbours that her entire coast presents, which being generally low and

exceedingly dangerous of approach, would discourage such hope, there are still greater difficulties to contend with, to check any vague anticipation of the kind, in the extreme unhealthiness of the climate—the aridity and unproductiveness of the soil, which instead of encouraging the future and progressive settlement of a new, vigorous, and healthy population, has caused emigration to set in from these States within the last few years, in one steady and uninterrupted course, to the more grateful and productive districts of the western country. The fact may easily be supposed, that but few Americans of the inland states, to whom the sea is a paradox, would from mere choice, abandon their homes however rude—the wild and uncontrolled freedom they enjoy, for the monotony and listlessness—the restraints and incidental risks of a life on ship-board, which of all others is the least suited to their early habits, as well as decidedly hostile to any reasonable hope of advancement they might otherwise anticipate in the world.

The attention of the American Government has very recently been directed to this startling position of its national marine; the very limited resources on which the country can hope to depend in time of need, which caused a bill to be passed through Congress in 1837, with a view to some partial correction of the evil, prohibiting, under severe penalties, all merchant vessels of the United States, clearing from any port within its actual jurisdiction, without having two registered apprentices at least,

native Americans, on board, included in the muster roll of their ships' crew. But it were impossible, that legislative interference of any kind, could ever hope to overcome the many natural difficulties—the numerous obstacles that interfere with the habits of the American citizen, and that we contend, will always continue to restrain his predilections for a sea-faring life, directing him to other and more congenial pursuits within his capabilities, and that no legal enactment can ever reach or possibly alter. This effort of Congress was a failure, and scarcely answered any purpose, beyond affording some further evidence of the wretchedly restricted means of the Republic—the resources upon which she will be compelled to rely in the event of any future war, or public emergency.

The report of the Secretary of the Navy to Congress, December 4th, 1841, freely admits, the embarrassing position of this arm of the public service, alleging—"Great difficulty is experienced in the enlistment of seamen. To what cause this should be attributed I am unable to say; and consequently am not prepared to suggest a remedy."—And in the same official document he states—"the number of apprentices now enlisted" (December 1841, and after four years and a half of experience, testing the capabilities of the foregoing law to carry out the objects contemplated in its passing) "is about 1000—this is not so favourable a result as might have been expected." The same means that have so often succeeded in evading the law, requiring two-

thirds of every ship's crew to be citizens of the Republic, have no doubt been equally resorted to, to render this statutory provision partially inoperative and useless.

When considering all these circumstances, each tending to the same end, the yearly increasing difficulties that are found to exist of procuring even in times of profound peace, any adequate supply of seamen, of American growth and schooling, multiplying with the wants and necessities of the country, and that no legislative effort can possibly avert, sustained by the light of every past experience, and the test of most unerring facts, we are fortified in the belief, that the United States of America, notwithstanding her loud vaunt—notwithstanding her extraordinary enterprise, and the admitted energy of her population—notwithstanding her extensive means, and immense mechanical resources, her enlarged sea coast, and daily increasing population—her large amount of merchant shipping to be met with on every sea, together with an aspiring and very laudable ambition, pervading all classes of her citizens, can never hope to elevate herself to the situation, or attain the character, or position of a first, or even a second rate naval power, much less to contend for that supremacy on the high seas, which is still one of the theories—the fanciful day dreams of her statesmen and politicians, and amongst the cherished anticipations of her entire population. In this, we see no possible reason to call forth her regret, or cause her the least disquiet. Her posi-

tion in the western hemisphere removes her from the entanglement of European politics, which must at all times prove favourable to her repose, obviating the necessity which is interwoven with the system and policy of all European Governments of maintaining even in times of profound peace, both a large military, and naval establishment. Her great extent of territory, comprising a soil and climate, suited to the indigenous growth of almost every staple, has made her independent of the possession of foreign colonies, demanding her care and armed protection. Her policy is peace—at all times peace, and with it, the development and culture of her immense internal resources, and at all or any sacrifice that may not affect her integrity, or compromise her national honour.

The incidents of the last war between the United States and Great Britain, supply abundant materials for reflection; they are interwoven with the history of both nations—recorded amongst the acts of chivalry and daring of either country, and present an instructive and interesting data, upon which to form a comparative estimate of the capabilities—the physical and moral energies of both people. Until this period in her history the United States had seldom an opportunity of testing her efficiency or means as a naval power. She embarked in this contest with a comparatively few vessels; but these were of a very effective description—well found in every essential many of them manned by British seamen, and upon their complete and perfect orga-

nization, her Government had expended the utmost possible care. But the war into which she had thus heedlessly plunged, was carried to the entrance of every harbour upon her entire line of coast, and for a continuous way up her great navigable rivers. On the part of the United States, it was necessarily, and in a great measure, of a purely defensive kind, except when assisted by her numerous private vessels and letters of marque, directed against the trade and commerce of her enemy.

British interests, no doubt, materially suffered from this combination. Nothing indeed could surpass the hardihood—the bold and adventurous daring of the American privateer, inspired by the rich harvest of British shipping, that was to reward his activity and success. These vessels were the most efficient of any force that sailed under the American flag, as well in the injury done to British commerce, as the necessity which they occasioned for all British vessels sailing under convoy. Many no doubt were captured,* some of them of a large class; but others were immediately commissioned to supply their place. Several of these vessels have been charged with various acts against the laws of nations—of piracy—of actually sailing under British as under American licenses, and acknowledging either flag, as circumstances might bring them in contact with the cruisers, or merchant ships of

* James, in his statistical details of the late war, from 1812 to 1814, states the number at 228.

either country. Those employed, were generally of extraordinary speed, even when sailing on a wind, or as seamen term it, "close-hauled," lying within a point nearer to the wind, than almost any other description of similarly rigged vessel. Few British men of war, could at all compete with them in sailing, whilst they are usually well-known to the seamen of every nation, who, having once fallen in with the vessels of this description, can seldom forget, the sly, roguish, mischief-making-looking-cut of a Baltimore clipper, a craft that even at the present day, is rather of suspicious appearance, if found within the latitude of the tropics.

Of the American National navy, it is but justice to say, that it well sustained the honour of its flag, whenever engaged with the enemy. Its discipline was good, and on every occasion to excite the energies and draw forth the talent of officers and men, they evinced a steady knowledge of their profession, in their apt mode of manœuvring and working their vessels, as also, with the first and necessary principles of naval gunnery, generally evidenced in the effect and execution of their fire. They fought with gallantry, it is true, and it has been remarked, with the desperation and hopelessness of men with halters round their necks, more apprehensive of the consequences of defeat and ultimate capture, than from the most protracted and obstinate resistance:—the truth has been, that a large proportion of the crews of these vessels were made up of foreigners, very many of them deserters from the

British service, and of others, owing allegiance to the British crown, who if taken in arms against their country, might justly apprehend to receive the reward, which their perfidy and treason so well merited.*

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* With respect to seamen (declares Mr. James, in his history of the Naval Occurrences, &c. p. 91,) America had for many years previous to the war, been decoying the men from our ships by every artful stratagem. The best of these were rated as petty officers. Many British seamen had entered on board American merchant vessels, and the numerous non-intercourse and embargo bills, in existence at different periods during the four years preceding the war, threw many seamen out of employment, so that the United States ships of war, in their preparations for active warfare, had to pick their complements from a numerous body of seamen.

The following instance is also related by Mr. James, in which British seamen, (deserters from the British navy,) have been in a manner compelled to serve on board of American men of war. It is one of many that might be adduced.

Soon after the arrival of the Congress, American frigate, at Boston, on the 3rd December, 1812, and soon after the commencement of the hostilities, twenty-five of her crew went 'aft,' on the quarter-deck, to deliver themselves up as Englishmen; Captain Smyth cunningly answered, "Very well, you shall go in the first cartel to Halifax, and be put on board the guard ship there." The men replied—"Oh no, we do not wish to be sent to a man of war, as we are nearly all deserters from the King's service, but we wish for our discharge to go on shore." This the American Captain refused, saying—"If you are Englishmen you shall be sent to an English man of war;" they added, "rather than be sent to an English man of war, and punished for desertion, we will then remain where we are." They consequently all took the oath of allegiance to America, except five,

The several occasions wherein the single vessels of both nations have been engaged, may be supposed to furnish opportunities, determining their comparative merits. In no one instance, when a perfect equality, or indeed any thing approaching to an equality, had existed between the combatants, but that the British navy maintained its pre-eminence, and either captured or destroyed its opponent. We know that a very opposite impression exists in the United States, where the wildest opinions are entertained of the superiority and prowess of the National marine, and which the nation has been taught to believe, has within the short period of hostilities between the two countries, succeeded in humbling the pretensions of Great Britain on the high seas. But it has been carefully drilled into these notions, by the continued beat of American exaggeration—by the worst species of practised fraud--by the vapouring and continued misstatements of an unprincipled and servile press—but above all, by the palpable misrepresentation of those in high station—of men in power, whose public as well as private acts, have been directed to give an unfair—a false and partial colouring to every transaction

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who never having been in a British man of war, departed with some prisoners which the *Boston* and *President* had made in their last cruize. Had these twenty men succeeded in obtaining their discharge, so as to have got on shore, and to have got to England in the best manner they could, it was understood that nearly *one hundred more, then on board the Congress,* would have followed their example.

in which the national honour, or character is the least concerned. The people are scarcely to blame for the extravagance of these opinions, that being very generally diffused amongst them, has given to the American character a degree of over-bearing arrogance—an insolent affectation of superiority in their general deportment towards foreigners, that it were impossible to meet by any argument or reasonable concession, or by any means short of a recurrence to the prominent incidents of the late war in such correct and authentic exposition, as to defy all cavil or possible contradiction; distinctly evidencing on which side an undue preponderance really did exist, as also the very disproportionate force with which our single ships had to contend in their several recorded actions, with the armed vessels of the Republic.

America had many advantages on her side, at the commencement of the last war. The embargo and non-intercourse acts, that preceded hostilities between the two countries, had necessarily thrown a large portion of the merchant navy of the United States out of employment, and afforded to her Government, in its subsequent preparation for hostilities, that opportunity of which it sedulously availed itself, of selecting none but the best sailors for her national marine. To these, as we have already shewn, she had added a large increase of British seamen—many of them deserters from the British service.

How very different the means of supplying the

British Navy at this period, (1812,) with no less than *seven hundred and forty-six men-of-war in actual commission*, manned by *one hundred and forty-five* thousand seamen.* It can well indeed be imagined, that England, even with the vast capabilities at her disposal, found some difficulty in providing her fleets with a sufficiency of men, for any efficient, or necessary purpose;—this, added to the continued drain from her population, to meet the demands and many casualties of a destructive and protracted war in Spain, where she maintained an effective force of near sixty thousand British troops, independent of her supply to her numerous Colonies, including the Canadas, at the time threatened with invasion, must have drawn pretty largely upon her resources, and restricted her means and opportunity of providing her fleets with any adequate or proper number of able seamen; whilst it is notorious, that her ships of war at this season, were scarcely more that *two-thirds* manned; —the absence too, for several preceding years, of all but a chance vessel of an enemy from the high seas, had produced an indifferent and relaxed state of discipline in her navy, which it was somewhat difficult to correct on the first moment of hostilities being declared between the two countries. Such was

* The total supplies granted for the British Naval Service in this year, the first of the late war with America, amounted to £19,305,759. 2*s*. 3*d*. sterling.

the actual state of the British navy at this particular period—such its resources and restricted means of supply:—yet, it is a remarkable fact, that on all occasions where a British national ship had fallen in with an American man-of-war at sea, and could succeed in closing with her, she immediately became the assailant—the first to strike the blow, and the last to yield the palm, even with the overwhelming force sometimes brought against her, until disabled, or that the last chance or hope of victory had fled.*

The action between the American frigate *Constitution*, Captain Hull, and the British frigate *Guerriere*, Captain Dacres, followed soon after the first declaration of hostilities by America, and ended in the capture and total destruction of the British frigate, and the lamented death of her gallant and chivalrous commander. The honour of her flag was well and nobly sustained. The *Constitution* was one of the largest class frigates of the American navy—was in high order, well found and manned with a picked crew, of 468 able-bodied seamen. The *Guerriere* on the other hand, had been an old and captured vessel, formerly taken from the French, and at the time of her falling in with the *Constitution*, was actually on her way to Halifax to undergo

* We subjoin in the Appendix (letter G) a particular list of the British and American national cruisers, captured or destroyed by the other, during the late war, &c., and excluding from the former such as were recaptured in their way into port.

repairs. Her crew consisted of but 244 men and 19 boys:—the following is the proportionate size of both vessels.

	Guerriere.			Constitution.		
	Guns.	Pdrs.	English.	Guns.	Pdrs.	English.
Main-deck	28	long	18's	30	long	24's
Bridle-port	2	"	18's		"	
Quarter-deck	14	carronades	32's	1	carronade	24's
				16	do.	32's
Forecastle	2	do.	32's	8	do.	32's
	2	long guns		1	long	24's
	48			56		

Comparative force in action.

Broadside guns,	24	28
lbs.	517	768
Crew, men only,	244*	468†

* Of men and boys, the *Guerriere* had originally belonging to her 302. The Purser's steward, whose duty it is to serve out rations to the ship, declares that Lieutenant Pulman, a lieutenant of marines, three midshipmen, and thirty-three seamen and marines, were absent from the ship in prizes. That the *Guerriere* victualled on the morning of the action, exclusive of four or five women, and some prisoners, 264 ; that seven of these were Americans, who had been in the ship some years. That Captain Dacres, highly to his credit, gave orders that they should go below ; that they all did so, except one man stationed forward, who not having heard the word pass, remained at his quarters. That nineteen of the crew were boys, most of them very young. Several of the Guerriere's crew on their return to Halifax, N. S. passed into the *Shannon*, where they found ample relief for their wounded pride in the subsequent achievement of that ship.

James's Naval Occurrences, p. 106, 107.

† The *Constitution's* complement when she sailed from Boston, on the 2nd of August, was about 476, on the 17th, Captain

When we examine the foregoing facts, and ascertain the relative strength of both vessels, being also aware of the reduced and imperfect condition of the *Guerriere*, our surprise is, that Captain Dacres should have hazarded an engagement, much less have eagerly sought one with a ship, nearly one-third more his own size, and with a crew, and weight of metal, so very disproportionate to the numbers, calibre and general fitness of his own vessel. When taking these matters into consideration, and which secured so overwhelming a prepon-

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Hull recaptured from the Avenger, sloop of war, the American brig Adelaide, on board of which he placed a prize master, and it is understood, seven men; this leaves 468, the number stated by her own purser's steward to have been victualled, exclusive of a few prisoners, on the morning of the action. Among them scarcely one was to be seen that would rate as a boy in the British service. Yet these boys will be all allowed. A great many of the *Constitution's* crew were recognized by Captain Dacres as British seamen, principally Irishmen. The Guerriere's people found among them several old acquaintances and shipmates. One fellow who after the action, was sitting under the half-deck busily employed in making buckshot cartridges to mangle his own countrymen, had served under the first Lieutenant. He now went by a new name, but on seeing his old commanding officer standing before him a glow of shame overspread his countenance. Were it possible, that the *Constitution's* ship's company could at this time have been inspected by the officers of the British Navy generally, how many besides the commissioned officers and riflemen, would have proved to be native Americans?

James's Naval Occurrences, p. 110.

derance to his antagonist, we are the less astonished at the issue of this engagement, yet fully disposed to concede to the *Constitution* all the laurels she may have gathered from this first, and bootless victory.

The action between the British frigate *Macedonian*, Captain Carden, and the American frigate the *United States*, is the next in the list of victories, claiming any special notice; and which took place on the 25th of October, in the same year. But here again we recognize a still greater disproportion in the relative strength and size of the two vessels, than even what has been pointed out to have existed between the *Guerriere* and *Constitution*; for though the *United States* is considered a "sister ship," of the *President* and *Constitution*, she had nevertheless been made to carry 42-pounders on her quarter-deck, and forecastle, that considerably added to her broadside force, and made her a far more formidable antagonist, than the latter vessel. The following account, according to the published statement of Captain Carden, presents an accurate detail of the comparative force of both ships, on going into action.

Macedonian.

Complement of officers, petty officers, seamen and marines,	203
Landsmen . .	58
Boys . . .	36
Total	297

	Weight in pounds.
18 pounder long guns, 28	504
32 pounder carronade, 16	512
12 pounder, long ditto, 2	24
Long boat's carronade, 12 pounder, 1	12
2 French brass field pieces, only fired once, being disabled, 8 pounder	16
Total	1,068

United States.

Complement of officers, petty officers, seamen and marines 478.

Landsmen	none
Boys	1
Total	479*

	Weight in pounds.
Long 24 pounder guns, 32	768
42 pounder carronades 23	966
Howitzer in tops, 8 pounders, 3	24
Total	1,758

Size in tons, *Macedonian*, 1081. *United States*, 1533.

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* The crew of the United States, according to James's history of the occurrences of the last war, consisted of picked seamen, all young and vigorous. A great proportion were known to be British sailors, which accounted for many of their guns being named after British ships, and some of our celebrated naval victories. The Macedonian's men recognized several old shipmates; an officer's servant, a young man from London, named William Hearne, actually found amongst the hostile crew—his own brother! This hardened traitor, after reviling the English and applauding the American service, used the influence of seniority in trying to persuade his brother to enter the latter; the honourable youth with tears in his eyes, replied—"If you are a d—d rascal, that is no reason I should be one."

It is here shewn, to adapt the language of the gallant Captain (now Admiral) Carden, that the Americans had the advantage of 217 men, more than the Macedonian, and in weight of metal, 690 pounds of shot, or 345 pounds weight, at each broadside. The masts, yards, and tonnage of the American ship, were nearly the same as our small 74-gun ships, and in their weight of broadside, there was not one shot difference.

It is also told by the gallant Admiral, that "observing on board the American ship, two of her guns were named, one 'Nelson,' the other 'Victory,' I asked her gallant Captain, how this came. His reply was—'To prevent serious quarrels between the crews of these two guns, for the prior name, he was obliged to interfere, and as all of them had served with the great Nelson, with his flag in the Victory, he had given the privilege of Nelson

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The band, as may be supposed, instantly deserted to the enemy. Some of the Macedonian's foreigners, not of the band, also entered the American service. Nor is it surprising, that many of the British deserted, considering what powerful inducements were held out to them. They were given sums of money, promised grants of land, and kept continually drunk until carried into the country beyond the control of their officers. The law of honour is binding between nations as well as individuals; and surely there cannot be a greater infraction of it than insidious attempts to withdraw from their allegiance the subjects of an honourable enemy.

James's Naval Occurrences, p. 161, 162.

to the crew, two of whom had been Nelson's bargemen."

Still is this one of the "unsurpassed victories"—another of the "unparalleled exploits," gained by American seamen over British tars, upon which the nation has got drunk, and revelled in its excess to a state of absolute delirium.

The next victory claimed by the Americans, was the result of a hard fought engagement, between the British frigate *Java*, Captain Lambert, and the United States frigate *Constitution*. Here also will be found the same inequality of force, as between the *Constitution* and *Guerriere*. Securing advantages to the Americans, with which the gallant, and determined bravery of the Java's crew, though young and inexperienced, were unable to contend. The *Java* was on her way to the East Indies, with General Sir Thomas Hislop on board, going out to assume the government of Bombay, when fallen in with by the *Constitution*. This action, as well as that of the *Macedonian* and *Guerriere*, was a protracted and sanguinary one, and ended in the total loss of the British frigate, which the American, as with the *Guerriere*, was unable to add to his trophies by carrying into port.*

* Owing to the gallant defences made by our ships, the Americans, out of fifteen captured (exclusive of one sunk and two recaptured) British cruisers at sea, carried only nine into port. If we except the Vixen which was shipwrecked, the whole

The following is the comparative force of the two ships.

		Java.		*Constitution.*	
Broadside metal in lbs.	Long guns	261		384	
	Carronades	274		370	
		——	535	——	754
Complement . .	Men	347		477	
	Boys	23		3	
		——	370	——	450
Size in tons . . .		1073		1533	

We have now enumerated three, and the only important captures made by the Americans in the last war, on which they have rung the changes without any reasonable intermission to the present day.

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of the twenty-three captured American cruisers at sea were got safe into port by the British. The following are the particulars.

British.				*Americans.*			
Ships' names.	Guns.	Cmpt.	Tons.	Ships' names.	Guns.	Cmpt.	Tons.
Macedonian	49	292	1081	President	58	477	1533
Cayane	33	171	539	Chesapeake	49	391	1135
Alert	20	86	393	Essex	46	265	867
Epervoir, B	18	117	382	Frolic	22	171	539
Dominica, Sc.	15	77	217	Argus, B	20	126	315
Boxer	14	66	179	Wasp	18	130	434
St. Lawrence, Sc.	13	51	240	Rattlesnake, B	16	131	305
Highflyer	5	39	209	Syren, B	16	137	350
Ballahou	4	20	74	Nautilus	14	106	213
				Viper	12	93	148
				James Madison	10	65	114
				Gun boat	9	45	112
				Surveyor	6	25	100
				9 gun-boats	34	267	549
Total	171	919	3314	Total	330	2430	6714

Their reminiscences on the other hand, are strangely defective, whenever reminded of the three frigates of their navy—the *Essex*, *President*, and *Chesapeake*, captured by the British, and which we may now perhaps be permitted to refer to. We shall leave the *Essex*, Commodore David Porter, in charge of two British sloops of war, the *Phebe* and *Cherub*, by whom she was taken, and proceed to notice the engagement and capture of the United States frigate *President*, Commodore Decatur, by the British frigate *Endymion*, Captain S. Hope, certainly one of the largest and finest vessels of her class, then in the British service. But even the *Endymion*, such as she was, bore no fair proportion to her antagonist, that might with perfect fairness be considered, as the "crack-ship," of the American navy.

The *Endymion* had for some time previously, belonged to a squadron of British frigates, then in blockade of the port and harbour of New York, from where the *President* had long waited for a favourable opportunity to make her escape. A strong gale, with a heavy snow-storm from the westward, drove the British ships off the immediate coast, and enabled the *President* to put to sea. She was here less fortunate than her anticipations had hoped for, as on the morning of the second day, of her being out, instead of having escaped every reasonable chance of future molestation, she unexpectedly found herself in sight of the British squadron, which immediately gave chase. The Endymion being also a very fast sailer, soon escaped

from all her friends, leaving some of them nearly out of sight, and the others so far in the distance, as to be altogether unable to aid her in her obstinate and protracted fight, which continued "*broadside to broadside*" with her antagonist, for two hours and a half duration.

The *President*, having suffered severely in her hull from the steady and remarkable precision of the Endymion's fire, now directed her batteries against the rigging and masts of the latter, hoping by this means, to so disable her opponent, as to eventually succeed in effecting her escape. Her round and grape were for a while laid aside, and every species of newly contrived *star*, *chain*, and *bar* shot, which the then lately adopted mode of American warfare, without much of principle, or of humanity, to justify its application, was substituted in its stead.* The sails and rigging of the

* The only kinds of shot used in the British navy, are round, grape, and can or canister, a small species of grape. But the Americans, both in their public and private armed vessels employ under the denomination of "round and grape," chain, bar, star, and double-headed shot, which, in close combat especially, enables them to unrig a ship much more quickly than could be accomplished by shot in general use.

The Constitution mounted on her capstern, a piece resembling seven musket barrels, fixed together with iron bands. It was discharged by a lock, and each barrel threw twenty-five balls within a few seconds of each other, making 145 shots from this piece, in two minutes. The American officers said it was intended to act against boarders. Every species of dismantling shot was at this time seen in abundance on board the American

Endymion were sadly tattered, so much so, as to require her to bend an entire new set of canvass, in order to preserve the ship in any way manageable. In the meantime, the *Pomone*, one of the other frigates of the squadron had come up, leaving her consorts, the Majestic and Tenedos far out of range astern, and on nearing the American, fired an ill-directed broadside at her, without a gun being returned by the *President*. The British frigate had again opened her fire, when Commodore Decatur hailed to say, that he had already struck his flag.

We have deemed it necessary to trouble the reader with this abridged account, in consequence of the misrepresentations that have been so industriously promulgated on this subject, and that have gained general belief throughout all parts of America, as well, the very ungenerous and unmanly effort of the American Commodore, to deprive Captain Hope and his gallant ship's company, of the well-earned laurels that this signal triumph had won for them; for it is an undisputed and positive fact, notorious to every man on board the *President*, that the engagement between this ship, and the *Endymion* had

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ship, a confirmation of her having employed such artillery in her former actions. But, above all, the Constitution had on board a furnace for *heating shot*. The American officers said, it would heat balls to a white heat in fifteen minutes—but that hot shot were not to be used in action, unless the ship was assailed by a superior force.—*James's Naval Occurrences.*

actually ceased, and was at an end, at the time of the *Endymion* setting about to repair the damage done to her sails and rigging, and that under no possible or admitted circumstances, would the wary and disingenuous Commodore have renewed the action, whether provoked by the fire of the *Pomone*, or the further and unseemly treatment of the *Endymion*, had that ship been the first to again approach him on her new sails being bent for this purpose.*

There can be no wish to detract from whatever praise may be due to Commodore Decatur, for the resistance made under his peculiar circumstances—the probable absence of the usual incentives with his crew to enspirit and cheer their exertions, knowing as they did, after the first two or three broadsides, the utter impossibility of escape, and that even a victory over his antagonist, would probably have made them captives to the enemy's squadron then coming up. Yet, whilst every allowance can be made for Commodore Decatur and his ship's crew, it is surely ungenerous, that he should avail himself of a circumstance, which at first *carried no importance with it in his estimation*, and take advantage of the *Pomone's* perfectly harmless, and as he is

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* The plain tale of Mr. Bourie, the President's schoolmaster, proves clearly that when the American ship hauled up from the Endymion, at 8 o'clock, her men, to use a familiar phrase, *had got enough*, and that the Commodore was determined to surrender without further resistance, to the first ship of the squadron that should come within gun-shot.—*James's Naval Occurrences.*

aware, insufficient fire, to detract from the merits of a brave and gallant enemy, by the despicable and unmanly expedient of misrepresentation—and for the mere purpose of warding off from his own shoulders, a portion of the censure directed against his conduct on this occasion by his own countrymen. Had he not surrendered to the *Endymion*, but was able in point of fact, as also according to his actual relative position with this ship, to renew the engagement on the *Pomone* coming up, how, or in what manner is he to stand excused in the opinion of any brave or honourable man, in striking his flag to the latter frigate without firing a shot. We opine that such conduct would not have characterized his opponents on any similar occasion, or have been excused by the country whose honour would have been compromised, by so wretched an exhibition of pusillanimity and weakness. But the engagement had actually terminated—was altogether at an end—the *President* soundly and well thrashed, long, long before the *Pomone* had come up, or fired a single shot.

The *Endymion's* loss and damage in this action was comparatively trifling, and principally confined to her spars, sails, and rigging.* Not so the *President*, whose starboard side was completely

* The Endymion's damage in action, according to Mr. James, was confined to the destruction of the only two boats she had on board, and considerable injury to her sails, spars, and rigging; an American chain shot cut away twelve or fourteen cloths of her foresail, stripping it almost from the yard.

riddled, with several shots between wind and water, sufficient, with six feet of water in her hold, to justify the apprehensions that were generally entertained, of being able to get her into port. She received but *one* shot in her larboard side, *the one exposed to the fire of the Pomone*, which is tolerably conclusive evidence, of the perfectly harmless consequence of this ship's broadside, and that the severe loss in killed and wounded, on board the *President*, was altogether occasioned by the well-directed and destructive fire of the *Endymion*.*

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* The damages which the President sustained in her hull, were carefully ascertained by Mr. James, and set forth in No. 107 of the Appendix of his very valuable Work, as follows:—

"*Quarter-deck, starboard side*—after port sill, string and water ways, shot to pieces. Second port from aft, timber shot through; and between the *second* and *third* ports, timber and quick work shot to pieces, shot went through the other side. The after port timber shot through at the fourth port. One shot through between the fourth and fifth ports. At the *sixth* port plank-sheer shot away, and part of the quarter-deck and beams, ripped up by shot.

"Between the *quarter-deck* and *forecastle*—the water ways, plank-sheer, with two streaks of the gangways, shot away.

"*Main-deck, starboard side* - second port from forward, the spiketing and water-ways shot. One shot between the *second* and *third* ports, in wake of deck, which has injured the water-ways. *Fourth* port—the after port timber shot through. *Sixth* port—the sheer-streak and clamp shot through, between the *tenth* and *eleventh* ports, the clamp and diagonal knees shot. Thirteenth port, the upper sill and clamp shot away. Three

The following statement of the comparative strength of both ships, is from "James's Naval Occurrences, &c." and which guarantees its perfect accuracy.

"The *Endymion* mounted 26 long 24-pounders upon her main deck, 22 carronades 32-pounders, one 12-pounder boat carronade, and a long brass 18-pounder upon the quarter-deck and forecastle. Total 50 guns. The boat carronade was mounted on an elevating carriage, and could therefore be fought upon the broadside; not so the 18. That

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shots in the buttock, one of which went into the after magazine. Several shots went through both sides, between main and quarter waist, &c. &c. Several shots through between wind and water, and some under water, which cut the timber and knees much.

"One shot through the larboard side, at the tenth port, which carried away the upper sill, clamp, and diagonal.

"This is what the court of inquiry, (which sat in Washington to investigate the causes that occasioned the loss of the President,) call 'little injury.' A ship riddled as the President was, above and below water, might well have had 'six feet of water in her hold'—five or six of her guns were completely disabled, and though her spars were all standing, her lower masts were badly crippled. These the President lost on the 17th, in a violent gale of wind from the eastward. Several of her guns were thrown overboard, and considering the battered state of her hull, it was a mercy she did not founder. The Endymion suffered in the same gale, losing her foremast, mainmast, and bowsprit—the two former, owing chiefly to the rigging where it had been knotted after the action, giving way. She also threw several of her guns overboard."

was run out at either of the bow ports, as a chase gun for which purpose only it could be used, the ship having no vacant broadside port.

"On the 21st day of September, a few days before she left Halifax, N. S. the *Endymion* victualled 239 of ship's company, (officers included) 60 marines, and 27 boys. They had six men absent in a prize, and one man sick at the hospital, making, when they joined, a complement of 333, about 17 short of her establishment.

The *President* mounted 30 long 24-pounders upon her main deck, 14 carronades 42-pounders, one long 24-pounder as a shifting gun, and a brass 8-inch howitzer, fitted on a traversing carriage on the quarter deck; and 6 carronades 42-pounders, and one long 24-pounder shifting gun upon the fore-castle, 2 brass 4-pounders in her fore top, the same in her main and in her mizen-top, all on pivots, making a total of 58 guns, of which *thirty-three were fought upon the broadside;* her ship's crew consisted of 477 picked seamen.

The *Endymion* lost 11 seamen killed, and 14 seamen and marines wounded, total 25; no officers were hurt.

The President's loss in the action, by the acknowledgment of her crew at Bermuda, consisted of three lieutenants and 32 seamen and marines killed—her commander (very slightly) master, two midshipmen and 66 seamen and marines wounded; total 105.

The next victory worthy of record, claimed by the British, was that of the *Shannon*, in her engagement with, and capture of the United States' frigate, *Chesapeake*.

The *Chesapeake* had been for some time blockaded in the harbour of Boston, Massachusetts, where the United States frigate Constitution had also been taking in provisions, and undergoing repairs. Early on the morning of the 1st of June, 1813, the British frigate *Shannon* appeared off the port, with a flag, as a signal of defiance at her mast-head. Captain Broke had previously sent a challenge to Captain Lawrence, stating the strength and armament of his vessel, and urging him to afford each, an opportunity to "try the fortune of their respective flags," in single combat, at some convenient distance from the American coast, and beyond the interruptions of the armed vessels of either country; and though by some neglect this letter had never been delivered, Captain Broke had nevertheless the gratification about noon on the same day, the 1st of June, 1813, of seeing the *Chesapeake* coming out of the harbour to give him battle. The Shannon immediately bore away—the *Chesapeake* followed in her wake, until about four o'clock, when she hauled upon a wind and fired a gun. The *Shannon* immediately hove to, both vessels manœuvred for some time, until about a quarter before six, when they approached so near, as to enable the *Shannon* to fire her first broadside. A second and third, was

now exchanged between the combatants, when the *Chesapeake*, apparently unmanageable, fell on board the British frigate. The moment was seized by Captain Broke, who seeing the Chesapeake's men running from their guns, leaped on board with some twenty of his gallant crew. The slaughter on board the *Chesapeake*, was for a while terrific, until the American frigate, crippled, and severely riddled in her hull, finding all further resistance utterly hopeless, with 176 of her crew, including their brave commander, four lieutenants, master, lieutenant of marines, killed or wounded, surrendered at discretion, within fifteen minutes after the first shot had been fired.

Here indeed was a victory of no ordinary kind, an exploit worthy of the proudest days of the British navy, achieved by the indomitable valour—the resistless bravery of British Tars, affording, as it does, an unerring test of British superiority whenever fairly matched upon their favourite element.*

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* By a careful analysis of the victories claimed by America in the last war, we find the following result.

Once	when superior in	force as	19 to 18
Once	when do.	do.	19 to 16
Three times	when do.	do.	19 to 14
Twice	when do.	do.	19 to 13
Five times	when do.	do.	19 to 12
Once	when do.	do.	19 to 10
Once	when do.	do.	19 to 7
Once	when do.	do.	19 to 5

Yet, in this instance, the odds were on the side of the American, as evidenced in the following statement of the comparative force of both ships.

		Shannon.	Chesapeake.
Broadside metal in lbs.	Long guns	270	270
	Carronades	268	320
		538	590
Complement .	Men .	306	384
	Boys .	24	7
		330	391
Size in Tons . .	Shannon, 1066.—Chesapeake, 1135.		

According to a list before Parliament in 1815, previous to the returns from Ireland, the East Indies, Cape of Good Hope being received, and not including captures by Privateers, there were detained in ports of the United Kingdom, and captured or destroyed, 1407 American merchant vessels—228 American privateers, and 64 American national cruisers; and considering the incompleteness of the Parliamentary list, for want of full returns, as sufficient to cover any inaccuracies to be found in it, we are thus enabled to shew the relative number of British and American vessels of every description captured and destroyed during the late war.

British vessels of every description . 1200	American vessels of every description . 1699

Let those, observes Mr. James in his valuable work, and from which we have taken the foregoing, who consider the numbers less equal than what they ought to be, reflect that while the Americans had scarcely any unarmed ships afloat, we had them darkening every sea; and that although the force of the Americans in national cruisers, was comparatively insignificant, their privateers amounted in numbers to at least one-third of our navy in commission.

The following relative dimensions of both ships, will prove interesting to the nautical reader.

		Shannon.		Chesapeake.	
Length of lower deck from rabbet to rabbet		150	2	151	0
Breadth extreme		39	11⅜	40	11
Depth in hold		12	11	13	9
Main deck beams	Broad or sided	1	0	1	3½
	Deep or moulded	0	11	1	0½
Main mast	length	92	0	93	4
	diameter	2	0	2	6
Main top-mast	length	55	2	58	10
	diameter	1	4½	1	5¾
Main yard	length	81	6	84	9
	diameter	1	7⅛	1	7½
Main top-sail-yard	length	60	9	63	8
	diameter	1	0⅜	1	1¼

The loss on board the *Shannon*, besides her first lieutenant, included her purser, Captain's clerk, twenty seamen and marines killed—her commander, boatswain, a midshipman, and 56 seamen and marines wounded, total 83.

The *Chesapeake* lost her master, lieutenant of marines, three midshipmen, and at least 56 petty officers and seamen killed. Her gallant commander and first lieutenant, also her second, third, and fourth lieutenants, four midshipmen, and 106 petty officers, seamen, and marines, wounded; of whom Captain Lawrence, Lieutenants Ludlow and Brown, one or two midshipmen, and several of the men died of their wounds. Total killed, 61; wounded (some slightly) 115; which is every one that reported himself to the Shannon's surgeon,

three days after the action. This makes the gross number, 176. The Chesapeake's surgeon, without of course noticing the very slightly wounded, writes from Halifax—"The whole number killed and wounded, is estimated at about 160 or 170."

The Americans, with an anxiety to depreciate the value of this achievement, for which it is nevertheless probable, they would exchange all the laurels gathered by their little navy during the last war, attribute the misfortune, and the shadow which it cast over all their former exploits, to many very improbable and absurd causes—to an imperfect and disorganized crew—to the unusual and extraordinary loss of officers in the early part of the action, to the bugleman of the *Chesapeake* disobeying, or neglecting the orders to assemble the boarders, when called upon at the moment of the American frigate falling on board the *Shannon*, and to many others, as equally absurd and void of plausibility; without bearing in mind, the advantages which the *Chesapeake* possessed whilst in Boston harbour, of completing her crew, from a superabundance of picked and able seamen then in port, making it very unlikely, that she would sail out to engage an enemy, then in defiance in the offing, without availing herself of every favourable circumstance, that could possibly enable her to meet her opponent on the most advantageous terms, that could in the remotest degree, aid in securing a victory to her flag; and without further considering, that before the bugleman having failed (as it is said) to execute the

orders he had received, the Chesapeake's crew, terrified, and in a manner panic struck, at the dreadful slaughter and execution of the Shannon's fire, had abandoned and deserted their guns. It will be conceived, rather a difficult matter to persuade men under such circumstances, even though they were Americans, or English renegades, to assume the task—the daring resolution of a boarding assault, or to sustain with a brave and unflinching front, the brunt of such an attack from an opposing and victorious foe.

Several of the Chesapeake's crew, were found to have deserted from the British Navy; they were very possibly preferred, on this account, from the probable desperation of whatever resistance they would be required to make, to avoid capture, and the consequent punishment of their treason. Mr. James, in his valuable records, states, "that the gunner, Matthew Rogers, was an Irishman—the carpenter, George Miller, a native of Nova Scotia, and there were 34 others of the remaining crew, *recognized* as British subjects; one man was hanged at Spithead—several were pardoned." The Chesapeake's crew were stout healthy young men, especially when contrasted with the Shannon's; most of whom were below the middle stature, and a great proportion old and elderly men. As one proof of the stoutness of the Chesapeake's men, the handcuffs that had been placed upon the deck, ready to secure the British crew, as soon as the *Shannon* was captured, when applied to the wrists of Americans, caused many of them to wince with pain.

In closing with the capture of the *Chesapeake*, our brief narrative of the naval exploits of the last war of any note, or that are considered by the Americans as calculated to determine the vaunted superiority of the United States, we are warranted in observing, that the ships of their navy, though classed as the British, nevertheless exceeded the same rating by one-third in tonnage—in armament and general equipment; particularly their frigates, equalling the small class 74-gun ships in the British service.

Mr. James, in his history of the naval occurrences of the last war, has taken some pains on this subject. The following, extracted from his valuable compilations, which have materially tended to correct public opinion on this question, will scarcely be considered out of place.

"As a mean in force of the five American 44's, the United States will be preferred, and the full dimensions of a 44-gun frigate can be given with accuracy, by our fortunate possession of the *President*.

"The British frigate selected as the standard of size, will be the *Macedonian*; first, because she was one of the finest in the British Navy; and next, because she is now in the possession of the Americans; who will, therefore, have an opportunity of submitting the following statement of her dimensions to the test of actual measurement.

"Comparative dimensions of a British 38, (or now rated 46), and the American 44-gun frigates.

	38		44	
LENGTH.	Feet.	Inches.	Feet.	Inches.
Overall, being from fore part of the figure head to aft part of fife rail .	180	3	204	0
Aft part of deck, being from fore part of apron to fore part of stern timber, at the middle line . .	163	6	182	9
Extreme—being from fore part of stem at height of main deck, to aft part of stern port at height of wing transom .	158	4	179	7
Of lower deck—being from aft part of rabbet of stem, to fore part of rabbet of stern port . . .	154	6	173	3
Of actual keel, being from fore part of fore foot to after part of stern post .	140	4	156	6
BREADTH.				
Of overall—or, to outside of main wails	40	2	45	0
Extreme—or, of frame including the plank at the bottom . .	39	6	44	4
Moulded, or of frame only . .	38	10	43	8
Depth in hold, being from underside of lower deck plank, to timber streak .	13	6	13	11
HEIGHT.				
Of lower deck { Aft				
Midships .	6	5	6	7½
Forward . .			6	8
Between main and { Quarter-deck .			7	2
Gangway .	6	7	7	0
Forecastle .	6	6	6	11
From under side of false keel, to upper part of figure head . .	34	4	39	1
From do. to upper part of fife-rail .	38	8	42	4
From upper side of midship main deck portsill, to water's edge, and load water mark . . .	7	6	8	8

		Feet.	Inches.		Feet.	Inches.
Load draft of water	Afore	17	9	.	19	4
	Abaft	19	0	.	20	6
Main deck beams	Broad or sided	1	0	.	1	4½
	Deep or moulded	0	11	.	1	3½
Do. Ports	Width of	3	0	.	3	5
	Distance between	7	3	.	7	5½
Top sides, thickness of it	Main deck port sills*	1	3	.	1	8
	Quarter-deck, ditto	0	11¼	.	1	5
Main mast	Length	92	0	.	106	6
	Diameter	2	3½	.	3	5†
Main yard	Length	81	6	.	92	0
	Diameter	1	7½	.	1	8½
Main shrouds	British Frigate, 7 pair, American do. 7 pair. — each in circumference diameter	0	8	.	0	11

* Including quarter fishes.

In the diameter of the 44's main mast, the quarter fishes are included; inasmuch as they contribute to the security of the mast in action; the fore and main mast of our ships have only a small fish or *paunch*, in front, to admit the yard in its descent to pass clear of the mast hoops.

The difference between these ships in the quantity and stoutness of rigging, is an important consideration. Were the American ship to lose from her shrouds a quantity of cordage, equal to the whole over the mast head of a British ship, she would still have enough to support her masts.

† The relative stoutness of top-sides cannot be fully expressed by feet and inches; for while the timbers of the American 44's are placed as close together as they well can be, there is a considerable space between each timber of the British 38. About three inches below the main-deck portsills, the President's sides are 22 inches through. In fact, an American ship of war, is almost a bed of timber."

The 74's (rated) of the American Navy, built since the last war, bear the same unequal propor-

tion as their frigates, with all the former vessels of the same class in the British service; and exhibit an inequality of nearly one-fourth in size and armament of ships of a similar rating in the British Navy. We instance the *Delaware*, lately the only sea-going American line of battle ship in commission.

This ship was launched at Gosport in Virginia, in 1820, and cost the American government a sum of 373,735 dollars. Her dimensions and armament are as follows:—

The length of her spar-deck in board—203 feet 2 inches—breadth of main deck, 40 feet 6 inches:—the height of the main mast, from the spar-deck to the sky-sail mast, 203 feet. The length of fore-yard, 96 feet—main yard, 107 feet—cross-jack yard, 80 feet. Her main top-sail contains 1,587 yards of canvass. She spreads in all 15,093 yards, and carries, *exclusive* of the bow and stern ports, 100 guns, viz. 34 long 42-pounders—32 long 32-pounders, and 34 carronades, 42-pounders. Her weight of one broadside of round shot, 1930 lbs. with a crew of 834 men. Her draught of water when completed for sea is 28 feet 6 inches aft—and 24 feet 4 inches forward. She carries bread and water for five months.

But the size and armament of the *Delaware* dwindle into comparative insignificance when contrasted with the extraordinary dimensions and force of the *Pennsylvania*, rated also by the Americans as a 74-gun ship. This remarkable vessel was launched

in Philadelphia, in the year 1837, has been fitted for sea at Norfolk, Virginia, where she has been since laid up in ordinary. To our thinking, a more useless and perfectly inefficient vessel for any purpose to which the United States may require her, has never been set afloat upon the waters of the new world—unsuited in every possible respect to the wants and exigencies of the country, and ill-adapted, however well constructed, to any warfare in which the United States may be engaged.*

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* The following comprises an accurate statement of the actual dimensions, &c. of this ship, which from possibly being the largest man-of-war of any nation afloat, may carry with it some degree of interest.

	Feet.	Inches.
Length between the perpendiculars	210	
Beam mould	56	9
Dead wood		7
Girding plank, from keelsom to floor-head		8
Throat of floor timber	1	6
Tonnage—3,306 tons		
Height of lower gun-deck portsill	27	8
ditto middle do. do.	34	11½
ditto upper do. do.	42	5½
ditto spar deck do. do.	47	11
Rake of the stern post	3	6
Rake of stern	33	0
Length of the keel for tonnage	173	6
Height from spar deck portsill from base line	47	11
do. from bas line to under part of rail at dead flat	51	8
Length of lower gun deck	205	6
Breadth of ditto	55	6
Length of main gun deck	212	0
Breadth of ditto	54	9

In no part of the world are more efficient or better workmen to be found, than in the American dock yards, remarkable for their intelligence, and generally, for their good practical information. Nothing we conceive can possibly surpass the perfect symmetry of build, and admitted beauty of their

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	Feet	Inches
Length of upper gun-deck	217	0
Breadth of ditto	52	0
Extreme breadth	58	1½
Length from figure head to stern gallery	217	6
Height of bottom of keel to top reel amidships	51	9
Depth of hold to orlop deck	15	3
Thickness of deck		4
From orlop deck to lower gun deck	7	4
deck		5
From lower gun deck to main deck	7	2
deck		5
From upper gun deck to spar deck	7	0
deck		3½
From main deck to upper gun deck	7	2
deck		4
From timber streak to spar deck	45	9
Distance between the ports	7	10
Height of the ports	3	0
Breadth of ditto	3	4

Lower gun deck ports 32 in number.
Main " 36 "
Upper " 36 "
Spar " 36 "

Total number of ports 140.
Length of fore part of stem to aft side of stern at height of spar deck . . 224 feet
Whole length of keel . . 195 do.

merchant ships, in which they have fully equalled, if not surpassed every other nation, and may be said, in the excellence of their construction, to have exhausted every possible improvement. What a

	Length. Ft.	In.	Diameter. Inches.	Mast head. Ft.	In.
Main mast	132		48	22	
" top mast	70		23	13	
" top-gallant mast	41		13	6	
" royal mast	24		9½		
" flag pole	16				
Total height	283				
Foremast	120		44	20	
" top mast	63		21½	10	6
" top gallant mast	37	6	12	5	
" royal mast	22		8		
" flag pole	10				
Total height	256	6			
Mizen mast	99		34	17	
" top mast	56		16¾	9	
" top gallant mast	33	6	9½	4	6
" royal mast	20		7		
" flag pole	8	6			
Total height	216	6			

Mizen mast steps on the orlop deck.

	Feet long.	Diameter. Inches.	Ft.	In.
Main yard	110	24	5	
" top-sail yard	82	18	7	
" top gallant yard	52	11	2	
" royal yard	36	7	1	6
" sky sail yard	24	5	1	

contrast do their vessels present to the irregular, the often unserviceable and clumsily put together ships of the British merchant service, which seems opposed to all modern reform, and to have retrograded in the build and construction of their merchant navy, in the ratio that the Americans have progressed.

The facilities in England of effecting insurance on almost any description of trading vessel, as well, the very injurious mod[illegible]therto adopted under the British laws, of determin[illegible]g the admeasurement

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	Feet long.	Diameter. Inches.	Feet.	Inches.
Fore yard .	100	23	5	
" top sail yard	75	16	6	6
" top gallant yard	48	9½	2	
" royal " .	33	6¾	1	6
" sky sail " .	22	4½	1	0
Mizen or cross jack yard	80	16		
" top sail yard	33	6¼		
" royal yard .	15	3		
Spreet sail yard .	52	11		
Bowsprit .	80	45—56 ft. outboard.		
Jib boom .	65 —3 feet head—18½ inches diam. —40 feet outboard.			

Flying jib boom, 22 feet outboard, 12 inches diameter.

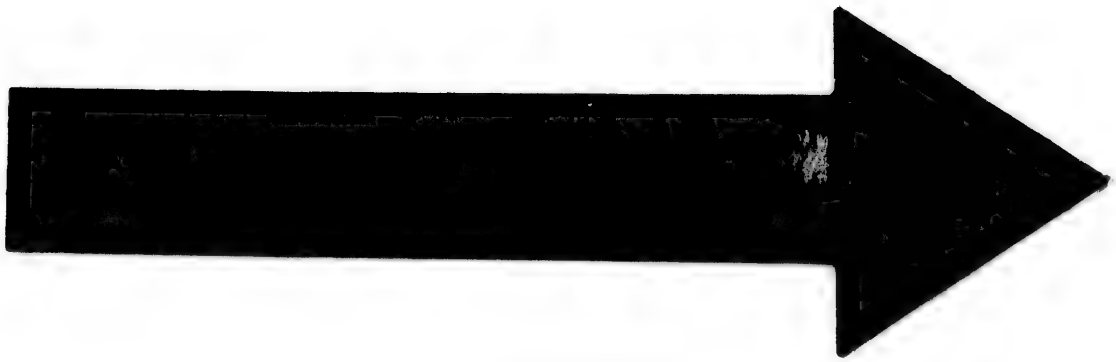
Jib, or jib boom, 12 feet outboard, 6 feet pole added, 7½ inches diameter.

Spanker boom, 60 feet long—13 inches diameter.

Height from water line to main truck 239 feet
,, ,, fore truck 217 ,,
,, ,, mizen truck 196 ,,

Draught of water 25 feet

Mounts 140 guns—anchor weighs upwards of 11 tons, and will require 1,100 men as her complement.



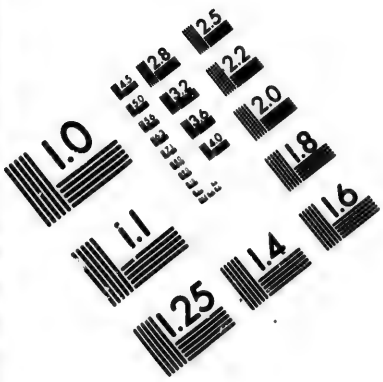
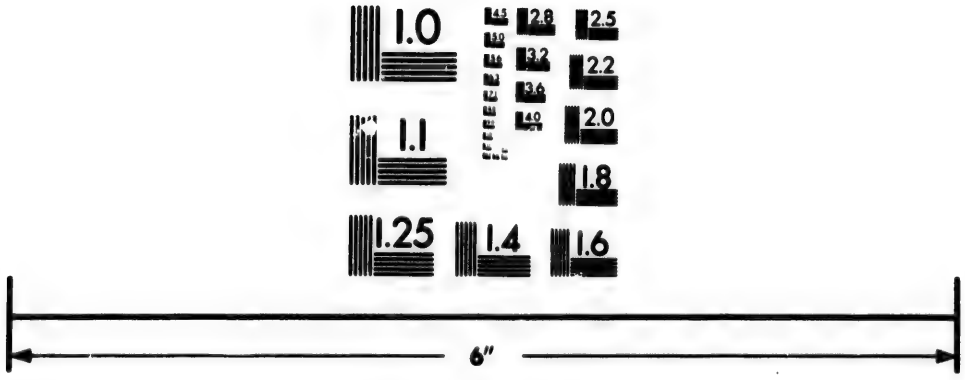


IMAGE EVALUATION TEST TARGET (MT-3)



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and tonnage of vessels, have no doubt materially tended to this result, and caused a class of ships to be introduced and still continued in the British merchant service, that are scarcely safe or sea-worthy. But the law in this respect has lately undergone an important alteration, that it is reasonable to believe, will lead to a speedy and general improvement in this necessary auxiliary to our commercial prosperity and well-being; whilst no better guide or model, we conceive, can possibly be furnished to the British ship builder, than that which is presented to him in the neat, perfectly safe, and serviceable construction of the American liner, or packet ship.

We cannot in justice, extend the same meed of praise that we so cheerfully award to the merchant navy of the United States, to the vessels of her national marine, especially of a late construction, or those built since the last war; in almost every one, especially of her line of battle ships, some strange fatality seems to have occurred, to render them nearly unserviceable to the country; occasioned it would appear, by some faulty, or mal-formation in their peculiar structure, which has made them all but worthless. In the opinion of competent judges, (themselves Americans) a great proportion are unfitted for any service, especially their 74's, being, with some few exceptions, so faulty and clumsily constructed, as with difficulty to be kept upright in the water; the *Ohio* and *Columbus* among the number, that dare scarcely venture from one port to another, without apprehension of sinking, or of

being upset. In like manner the *Independence*, (ship of the line) which could not use her armament for fear of sinking, and which vessel had to be razeed to the dimensions of a 54-gun ship, to render her in the least serviceable.

The Americans, with a most unaccountable puerility, still take credit for the very senseless imposition practised on the public credulity in proclaiming their vessels of war at a considerable underrating than their actual force or tonnage would warrant. This, we are told, was the advice of Washington to his fellow countrymen, but for what good or earthly purpose, beyond the illusive creation of a mere temporary belief in American prowess and superiority, it would be difficult to determine; for the nation might be quite sure, that the first moment it became an object to ascertain the truth, this deception would be at once unveiled—the facts exposed before the world, and the false estimate to which this fraudulent seeming might give rise, corrected in the public belief.

The ships of the British navy, built since the peace, have been increased in their equipment and tonnage to somewhat the same standard as the Americans, but are far, very far superior in their construction and capabilities as vessels of war; carrying heavier armaments, with infinitely more convenient quarters—more space between decks, guns ranged much higher from the water, &c "From the dimensions hereafter given," observes a

late intelligent writer in one of our best informed periodicals,* it will be seen, that we are not only equal in most, but greatly superior in many points, and as far as our more recently constructed ships are concerned more especially, every class of which are much finer than those of the same class of the American navy.

"The first class line of battle ships, as the Ohio, &c. are, or were evidently designed from our 84's, Ganges class, with the addition of two feet more beam, thus considerably increasing their tonnage; but either from some injudicious alterations, or bad model, they have not proved the ships they ought to have been, carrying their lower deck midship ports, only 5 feet 6 inches from the water, whereas our 84's carry theirs 6 feet 2 inches, and the Vanguard 7 feet. The tonnage of those ships is about 2,600, the same as our 92's, Rodney class, within a few tons; but their dimensions are the same as the 120's, and they carry their lower deck midports 7 feet from the water, and are evidently a superior description of ship to American two-deckers. The armament of the latter is very heavy, having 42-pounders on their lower decks, and carrying guns on their upper deck all through; making three entire tiers; perhaps their armament is too vy. Give our 92's guns in the waist, and they would then mount 100 - but filling up the waist is a very questionable course, and one to which we decidedly object.

* The United Service Gazette.

"The second class line of battle ships, of which there are but three, are fine vessels about the size of our 80's, as Indus, Bellerophon, &c. but with one foot more beam, making them about 100 tons larger. These ships also have guns all through on their upper decks, but from some cause, (perhaps from being overweighted) carry their lower-deck ports only 5 feet from the water, being four inches less than our old 74's, and one foot lower than the Bellerophon.

"The first class frigates are fine vessels, about the size of our razees, but with two feet less beam, and therefore inferior, also carrying their main deck midship ports 1 foot 3 inches lower than our razees; these ships are all double-decked, and have carronades on the upper deck. There are but two second class frigates in the American navy; Macedonian, captured from us, during the late war, and Constellation, one of their earliest. Both these are rated at 36's, carrying about 46 or 50 guns, and are about the size of our Blond, both very inferior to the Pique, and her class.

"The first class sloops of war of the United States, are neither so large, nor so powerful as our razees, such as the Magicienne, but they are larger than our other corvettes in point of armament and force. Again, they are very inferior as fighting vessels to our new 26's, like the Vestal, which carry long 72's, and two 68's. The American corvettes are, nevertheless, heavy sailers, and carry their midports 1 foot 4 inches lower than the Vestal and her

class, so that her whole battery is exposed to a vast disadvantage. Indeed our new 26's are superior to any foreign corvettes in the world.

"The second class of American corvettes, are nearly similar to our Pearl and Tweed, of 20 guns. There is nothing between them and schooners. The Americans have no sloops of war brig-rigged—their small sloops carry 16 guns, but are ships.

"The American schooners are very inferior in every respect to our new 10-gun brigs, as Pantaloon, Rapid, &c. being of 100 tons inferior in burden, also, in length and breadth, and their ports more than a foot lower in the water; their height between decks, also less by nearly two feet. They are in fact hardly equal to our old 10-gun brigs."

America, though fully competent to the efficient and proper construction of a merchant navy, has yet, it is very evident, to instruct herself in the more difficult and arduous task of man-of-war building, of which she is incapable, or knows very little about.

Conceding to her the possession within her territorial limit, of every essential to the building and providing a large and efficient fleet, it must still be admitted, the extreme difficulty—the near impossibility of her being ever able to procure a sufficiency of seamen to man even a squadron of cruising vessels, without at least, having recourse to her former habit—her still continued practice of enlisting by every undue and improper means, such British

seamen as she can prevail upon to enter her service. The similarity of language of both countries—their habits and ideas, identifying them as the offspring of one common race, has secured to America many advantages in the pursuit of this species of national piracy, at all times difficult of detection, and without any direct means, in the event of a general or any European war, to counteract its pernicious consequences to British interests; except that England should again resort to her undoubted right of insisting on the services of her own subjects whenever required for the public safety and welfare, and chuses to enforce such right, by impressment of her seamen, whenever, or wherever found.

The countenance that America affords to British seamen, is not restricted to the seducing them from their allegiance, and receiving them into her employ in time of war, or confined to their simple admission into her service in time of peace; but her laws are so framed, or so administered, if not to encourage direct and open desertion in her ports, from British ships lying in her harbours, at least, to protect such deserters on touching her soil, extending to them an immunity from the consequence that should follow the committal of a crime of this character, within the municipal jurisdiction of any civilized country. England, in this respect, as concern the seamen of her national service, is placed beyond the protection, or consequent of American legal interference in her behalf, and debarred the enforcement of those rights, which are

insured in American ports to the vessels and subjects of every other nation. The entire crew of a British man-of-war, may betake themselves to desertion in any of the harbours of the United States —break through every solemn covenant—infringe every previous agreement that is generally supposed to bind the servant to his master—the articled apprentice, the employed to his employer—and set at nought the sacredness and inviolability of an admitted and still subsisting contract, without being in any manner controlled by her local or municipal laws, which are suspended in their penal operation as regards such deserter,—and him alone. The public policy of the United States has made the British sailor, above every other, an exception in the exercise of her jurisdiction in this respect; and no matter the means that such seaman may adopt to secure his escape, or the compact broken through in effecting such purpose, he is fully protected in his desertion the moment he may place his foot upon the shores of the Republic. We recollect a flagrant instance of this kind, that occurred in New York in the year 1836, under our immediate observation, of which we chuse rather to give the published report, than rely upon our own version, that might be made subject to cavil or objection.

"It appears that H. M. Brig *Sylla*, Captain Carpenter, had arrived but a few days in the port and harbour of New York, from Bermuda, having on board the Governor of that Island, and lay moored off the battery, where at a late hour at night, nine

of her seamen, *including the sentinel on duty*, deserted from the brig, and taking one of the boats came on shore, and took quarters at a boarding house in Water Street. In the morning the Captain also came on shore, and applied to the British Consul for the interposition of his authority and assistance for the recovery of the deserters. The Consul accordingly, as stated in the report, applied to Justice Wyman for their arrest as deserters, and also on account of having taken off the boat. As no formal complaint by affidavit was made, charging them with larceny, or of any other offence of which the court could take cognizance, the magistrate could not legitimately, he conceived, interfere. At the further instance of the British Consul, four of the men were brought to the police office, all of whom claimed to be American citizens. They were followed to the police office by a number of seamen and their landlords, who appeared unusually interested in their welfare. Shortly after the capture of the seamen, the Consul, accompanied by Captain Carpenter, and his purser, returned to the office, and again claimed the restoration of the deserters. The court again refused interference, without some formal complaint was made under oath, charging the seamen with some specific offence.

"The Consul and Captain then made a charge, that these seamen, with others, having regularly entered His Majesty's service as seamen, and as natives of Great Britain, in which service they had been employed about four months, and received two months'

pay, had, in violation of their engagements, deserted from the *Sylla*, then lying in the harbour of New York, and in doing so, had carried off the boat of the brig in which they came on shore, and had since refused to return on board to the discharge of their duty; they therefore prayed relief, and that the seamen might be resent on board.

"Counsel appeared on behalf of the seamen, and claimed their immediate discharge, there being no specific treaty between the two nations by virtue of which Great Britain could claim her deserters. That there was no international law in existence which delegated such power, and that England refusing to incorporate in her treaties with America any provision on the subject, and adhering to her arrogated right of impressment, had deprived herself completely of the remedy she now wrongfully sought in this case—and at once demanded their discharge. The magistrates fully coincided in these opinions. Captain Carpenter then wished to prefer a charge of larceny against the seamen for stealing the boat, but the magistrates refused to entertain the charge, alleging it as their opinion, that there was obviously no felonious taking of the boat—as they *merely* took the boat for the purpose of going ashore, and *not with a view to defraud by selling it!*" The *Sylla* soon after left New York, *minus* nineteen of her crew, with which she had entered the harbour.

It is in the face of an outrage such as this—in the direct sanction and encouragement of British

desertion in her own waters, that the United States has the hardihood to call upon England to abandon her right of search in time of war, and the recovery and impressment of British seamen from American merchant ships when met with on the high seas or within British jurisdiction; for this, after all, is the most significant of the many questions that still remain unsettled between the two countries, mixed up as it undoubtedly is, with the pretensions—the naval ascendancy and power of either country. It is one, from which neither government can well recede, but which either the one, or the other must abandon, on the first moment that England may chance to be engaged in a naval conflict with any other power, or else submit it, *ad ultima ratio regni* for final adjudication. Already has it become, and in time of profound peace, a subject of unpleasant and even of angry discussion between both countries, whilst we are required to bear in mind that the enforcement of this right by Great Britain, was the primary, at least one of the principal ostensible causes of the last war between her and the United States.

It is scarcely becoming in America to require that England should alter her policy in this particular, or to expect that she will change the entire character of her institutions, and abrogate those rights so essential to her interests as a naval power, which she has exercised long anterior to the period of the political or even the actual existence of these states, or that she shall amend her laws according

to the crude and unsettled theories—the newly proclaimed doctrines of this modern republic, for the actual purpose of sustaining the United States in an unnatural and forced position, which she neither possesses the power or capabilities within herself to maintain amidst the nations of the world. It were indeed a novel, and withal, a very convenient doctrine to have recognised by England, as by other European governments, that the peculiar operation of the naturalization laws of these states, not only constitutes every foreigner who may so elect, a *bona fide* member of the Republic, investing him with the substituted privileges of an American citizen, adverse in their general application to the prior claims of his own country, but that by this stealthy and novel process he should from thenceforth divest himself from all obligation to his native land, transferring his allegiance whole and unimpaired to whatsoever may be considered the government of the country he may thus choose to adopt in its stead. Whatever might be the advantages secured to America from any general recognition of these principles in the working of other and fixed governments, and they could scarcely fail to be of the utmost benefit to the Republic, she is yet too young and feeble as a nation —possesses too small a share of moral and political influence to enforce their recognition, as an admitted ingredient of international law, between her and other nations of the world.

That there may have been abuses committed by British Commanders in the performance of their

very unpleasant and peculiar duties while searching American vessels, and of which the United States has had, in fact, some reason to complain, we will not take upon ourselves to deny; though, on the other hand, we utterly disclaim her pretensions, to propound, as in this instance, any new principle of municipal or general law, and to require Great Britain to adopt such rule, under the risk of incurring her high displeasure, and of engaging with her in a most unnatural, unproductive, and desolating warfare. Until, however, that this question is definitively set at rest, it must be considered as one of the present day—of the future, as of the past; threatening the amicable relations subsisting between this country and the United States, and acquiring additional importance from the increased and hourly accumulating interests involved in its satisfactory and final settlement. How far that such is practicable may be determined from the already acquired experience of this country, as well from the tone and temper of America in her official communications with relation to this subject, as from the circumstances connected with the late war, its rise, progress, and subsequent termination in 1815. But we are led back to an epoch anterior to this period, in tracing the early objections made to this practice by the American Government, which has continued unadjusted to this hour, and that still promises, with the stale pretensions of the United States growing out of this question, to become a source of future embarrassment in the relations of both countries.

CHAPTER V.

British Orders in Council, November 11, 1809.—Search and impressment of British Seamen from American vessels the declared cause of the last war—The policy and covert object of the United States—Hostility to England—Negotiation between both countries in 1806—Subsequent Treaty—Refusal of America to ratify same— Secret correspondence of the American Government—Subsequent war of 1812—The declared object of its prosecution by the United States—Peace of 1814—The efforts of America to effect a peace with Great Britain—Secret instructions of the American Government to its Commissioners, charged with power for this purpose—The right of search and impressment of British seamen from American vessels—Subsequent treaty of peace—The allegiance due to the Crown by British subjects —Right of visit, distinct from the right of search—Protest of America against its enforcement—Remarks and observations on the present relative position of both countries.

The British Orders in Council of November 1809, deemed necessary by England as a consequent and retaliatory measure of the Berlin and Milan decrees of France, which together with the searching and impressment of British seamen from American ships upon the high seas, were the two ostensible and declared causes for the United States proclaiming hostilities against Great Britain in the year 1812. Before, however, that her voice could have been heard across the Atlantic, or that her declaration of war could have sounded throughout any part of Europe, these orders of the British Government were revoked, leaving the latter—the searching and impressment of British seamen, &c., the only remain-

ing causes of strife then subsisting between the two countries.

For this it was, that America, lending herself to the ambitious projects of France, under the despotism of Napoleon, whose dupe she, in fact, became on this occasion, waged a most unnatural contest with Great Britain, then jaded in a protracted—expensive and desolating war, and struggling almost in her last throes for universal freedom. For this it was—that the commerce of the United States, which America could no longer protect, was nearly excluded from the high seas—her citizens led onward to take part in a severe and most unnatural warfare: it was for this, indeed, that she became the aggressor, and continued in her obstinacy, until England had loosed her arm from her European conflicts, and was prepared to turn her mighty power, that had crushed a Napoleon and subjugated France, to the exclusive prosecution of her war in America. It was then, *but not until then*, that the United States sued and reiterated her prayer for peace, without enforcing one meagre or solitary concession, but leaving this question—the "right of search," against which she warred and expended her best blood and treasure, unsettled—undetermined and unsatisfied, and with no better assurance, that the same cause of quarrel—the same rights may not be again enforced by Great Britain, whenever she may hereafter chance to be engaged in any future conflict with any other nation.

The circumstance of America declaring and con-

tinuing in her hostilities at this particular period against Great Britain, was as ungenerous upon her part as it was decidedly unjust. The further successful prosecution by England of her war with France, was, at this time, to say the least, problematical; whilst her existence as a nation depended upon its issue. It was deemed, perhaps on this account of all others, too favourable an opportunity for America to let pass her, without some decided demonstration on her part. The French republican, and anti-English spirit of Jefferson was yet in the ascendant, whilst she believed, no doubt, that a blow, even at her distance across the Atlantic, might be felt in Great Britain, against whom, America still encouraged a latent feeling of embittered hostility. She indeed acted the part of a truant child, and when that she thought the parent from whom she derived her being, whose blood still coursed in her veins, and of whom even in the present day she is but nominally independent, had been enfeebled and nearly exhausted from the violence of her continued struggle with three-fourths of the nations of Europe, in a cause in which the United States *par excellence*, assumed to be the patron, she chose with true American tactique, that moment of all others, as she considered the most propitious to strike her to the earth. In truth, it was ungenerous—unworthy of her pretensions, and had not even the plausibility, or justification of partial success to excuse or recommend it.

The "right of search" with which the world

has been more recently familiarised, in the negotiations between France, America, and England, growing out of the efforts of Great Britain in the suppression of the African slave trade, is, however, of a very different character, and has reference to a claim assumed by England, and cheerfully conceded by her to every maritime nation, of visiting by her national cruisers, whatever vessels of a suspicious character she may chance to fall in with in certain latitudes nearing the African coast, for the purpose merely, of ascertaining their nationality, or of their being actually that which their flag or ensign would bespeak. But the other right of search, enforced by Great Britain, is a belligerent right, exercised in time of actual hostilities, and extends far beyond this requirement, in which every other nation but America has had the good sense to voluntarily accede to. As both are intimately mixed up, not merely with the future amicable relations between this country and the United States, but with their present good understanding, it will be scarcely out of place to briefly notice their particular features, reverting to the causes, as also the peculiar character of the last war, as likely to occasion at no very distant day, without that America may admit the necessity of modifying her pretensions, the same difficulties and embarrassments between both countries.

The claim that the United States puts forth to the rest of the world in this embarrassing ques-

tion, is, to use the language of her Government, that—"their flag should protect the crew;" or to use the common-place wording of her modern writers and public men—"that the deck, over which the American ensign is seen to wave, shall not be intruded upon forcibly by any nation upon earth;" in short, and it narrows itself to this plain and intelligible requirement, that any American vessel, or other, that may from design, temporary convenience, or otherwise, choose to sail with the United States' ensign, displayed at her mast-head, is from thenceforth, and for ever, to be exempt from all visit and search upon the high seas, by the cruisers or men-of-war, of any other, or belligerent power whatever.

This is the extent of their very modest demands, in which is blended the means—the absolute right to restrict Great Britain in the services of her own seamen in time of war, or of impressing them out of the vessels of the United States wherever met with, beyond the waters or municipal jurisdiction of the Republic; for so soon as the first is conceded as of right, the other, as a consequent, ceases to exist: they both require to be separately considered, though it is probable, that so long as England remains in an undisturbed repose with all the world, that neither question will ever be called up as a subject of discussion, or of remonstrance between the two countries.

This unusual claim of the American Government,

was attempted to be enforced so far back as the year 1806, when on the expiration of the treaty of 1794, commonly called Mr. Jay's treaty, Mr. Pinkney of Maryland was appointed joint commissioner with Mr. Munro, for the purpose of settling all matters of difference, between the United States and Great Britain, "relative to wrongs committed between the parties on the high seas, and other waters, and for establishing the principle of navigation between them." This negociation was undertaken with the fairest prospect that could be offered to the United States, and during the administration of Mr. Fox, who was known to entertain the most favourable dispositions to that country. On the 3rd of January following, the American commissioners communicated to their Government the result of their labours, saying—"We have the honour to transmit to you a treaty which we concluded with the British commissioners on the 31st of December; although we had entertained great confidence from the commencement of the negociation that such would be its result, it was not until the 27th that we were able to make any satisfactory arrangement of several of the most important points that were involved in it." After detailing these, the report goes on to state:—"We are *sorry to add that this treaty contains no provision against the impressment of our seamen.*"

This result was most unsatisfactory to Mr. Jefferson, the then President of the United States,

and who, imbued with an unconquerable prejudice and hostility to Great Britain, refused to ratify the treaty. On the 20th of May following, Mr. Madisson, then Secretary of State, wrote to the American commissioners, Messrs. Munro and Pinkney on this subject, from which is the following: —"The President has seen, in your exertions to accomplish the grand object of your instructions, ample proofs of that zeal and patriotism in which he confided, and feels deep regret that your success has not corresponded with the reasonableness of your propositions, and the ability with which they were supported. He laments more especially that the British Government has not yielded to the just and cogent considerations which forbid the practice of its cruisers in visiting and impressing the crews of our vessels, covered by an independent flag, and guarded by the laws of the high seas, which ought to be sacred with all nations." This letter of the American Secretary, having urged various other reasons why the subject of impressment by Great Britain should have formed a necessary ingredient in the negociations, proceeds to state :--

"That you may the more fully understand his (the President's) impressions and purposes, I will explain the alterations to be regarded as essential, and then proceed to such observations on the several articles as will shew the other alterations which are to be attempted, and the degree of importance respectively attached to them.

"Without a provision against impressment, substantially such as is contemplated in your original instructions, no treaty is to be concluded."

Thus ended, during Mr. Jefferson's administration, every attempt to persuade England to forego her right of search—her claim to exact the fealty and services of her own subjects, which were hers by immemorial usage—the first principles of her constitution, and the recognised laws of every country, save, indeed, the United States, whose interest it evidently was, to establish for Great Britain, as for other nations, a new code of internal, as of international law, by which America hoped to countervail her admitted inability to supply her marine with a sufficiency of sailors from amongst her own population, and at all times to avail herself, beyond the chance of interruption of the services of British seamen for her navy. On Mr. Munro's subsequent return to the United States, he addressed a letter to his Government, dated from Richmond in Virginia, February 3rd, 1808, submitting a detailed account of the many difficulties with which he and Mr. Pinkney had to contend in their negociations at London, and in which letter he states,—"The impressment of seamen from our merchant vessels, is a topic which claims a primary attention from the order which it holds in your letter." "The British paper states that the King was not prepared to disclaim, or derogate from a right, on which the *security of the British navy* might *essentially depend*, especially in a conjuncture when he was engaged

in wars, which enforced the necessity of the most vigilant attention to the preservation and supply of his naval force. That he had directed his commissioners to give to the commissioners of the United States the most positive assurances, that instructions had been given, and should be repeated and enforced, to observe the greatest caution in the impressing of seamen, to *preserve the citizens of the United States from molestation or injury, and that immediate and prompt redress should be afforded on every representation of injury sustained by them.*"

Surely, nothing could be more fair than this—nothing more just or reasonable, than the conduct of Great Britain on this occasion. She could have had no possible desire to embarrass America, or to add another to the list of her enemies; while she but sought to exercise an undoubted and constitutional right, and to resist the interference of the United States in her means of national defence, by withdrawing from her the services of her own subjects, at the time of her utmost need, and to whom America offered every possible inducement, with a full protection under the ægis of her naturalization laws. The rejection of the treaty by Mr. Jefferson, left this difficult and exciting question a subject for still further controversy, until the year 1812, when it constituted one of the ostensible grounds for America declaring war against Great Britain, and, indeed, the only one for its subsequent prosecution; as before the intelligence of that event had reached England, all other previously existing

differences had been removed, or amicably adjusted. Hostilities on the part of the United States, were preceded by a manifesto from President Madisson, setting forth the several alleged grievances, of which the nation complained. It is an important historical document, connected with the history of the country; as such we have given it, with the dignified reply of his Royal Highness the then Prince Regent of England, (since George IVth) in the Appendix (marked H), to both of which we especially invite the reader's attention.

Whilst noticing the progress of this unnatural contest, we deem it beyond our purpose to enter into a detail of the various incidents by which it was distinguished, beyond what is necessary to elucidate the spirit and principles in which it was conceived and undertaken—the unattainable and visionary objects it hoped to realize, with the subsequent and entire abandonment of every pretension that America advanced as her justification; —a war, that in the short interval of its continuance, had cost her from forty to fifty thousand men, and upwards of one hundred millions of dollars.

Offers of mediation in the following year (1813), were proposed by Russia, but were at once declined by Great Britain:—the United States, on the other hand, accepted the proposition, and professing to believe that England would equally concede her acquiescence, appointed commissioners, who were furnished with full instructions to conclude a definitive treaty of peace with her. In the course of

these instructions, (of date the 5th of April, 1813) the American Secretary expressly states,—"On impressment, as to the right of the United States to be exempted from it, I have nothing new to add; the sentiments of the President have undergone no change on that important subject. This dangerous practice *must cease; our flag must protect the crew, or the United States cannot consider themselves an independent nation.*" This was the loud voice—the braggart tone of America in her day of imagined security, when she believed that England, borne down and enfeebled by her continued effort in the sustainment of free principles, and in resisting the universal despotism of Napoleon, was unable to offer her but a partial resistance. A change, however, soon came over the spirit of her dream.—France, in the meantime, had suffered many severe vicissitudes—Napoleon, driven from Moscow, was now in full retreat with the remnant of his invading army, whilst the covert object of America, in her war with England, no longer seemed attainable:—her mortification, as well as her alarm for her own safety, became more and more excited; she now felt the temerity and imprudence of her conduct, and that she had nothing to hope for, except from the justice and magnanimity of Great Britain, from whom, in very truth, she was disentitled to expect much of forbearance. Her high tone of independence became subdued, whilst every succeeding reverse to the arms of France, still lowered her pretensions. The additional instructions of the American Secre-

tary to the United States' commissioners, of date the 14th of February, 1814, was the first indication of a change in the councils of her Government. These instructions were followed by a further intimation from the Secretary of State, dated 24th of March, where he says :—" If a satisfactory arrangement can be concluded with Great Britain, the sooner it can be accomplished, the better for both countries. If such an arrangement cannot be obtained, it is important for the United States to be acquainted with it without delay." This communication was succeeded by another from the American Secretary to the same parties, dated June 5th, 1814, in which he observes:—" It is impossible, with the lights which have reached us, to ascertain the present disposition of the British Government towards an accommodation with these states. We think it probable that the late events in France may have had a tendency to increase its pretensions.

" At war with Great Britain, and injured by France, the United States have sustained the attitude founded on those relations. No reliance was placed on the good offices of France, in bringing the war with England to a satisfactory conclusion. Looking steadily to an honourable peace, and the ultimate attainment of justice from both powers, the President has endeavoured, by a consistent and honourable policy, to take advantage of every circumstance that might promote that result. He, nevertheless, knew, that France had held a place in the political

system of Europe and of the world, *which, as a check on England, could not fail to be useful to us.* What effect the late events may have had in these respects, is the important circumstance of which you are doubtless better informed than we can pretend to be.

"It was inferred, from the general policy of Russia and the friendly sentiments and interposition of the Emperor, that a respect for both would have much influence with the British cabinet in promoting a pacific policy towards us; the manner, however, in which it is understood that a general pacification is taking place, the influence that Great Britain may have in modifying the arrangements involved in it, *the resources she may be able to employ, exclusively, against the United States*, and the uncertainty of the precise course that Russia may pursue, in relation to war between the United States and Great Britain, naturally claim attention, and raises the important question in reference to the subject of impressment, on which it is presumed your negociations will essentially turn, whither your powers ought not to be enlarged so as to enable you to give to those circumstances all the weight to which they may be entitled. On full consideration it has been decided, that in case no stipulation can be obtained from the British Government at this moment, when its pretensions may have been much heightened by recent events, and the state of Europe be most favourable to them, either relinquishing the claim to impress from

American vessels, or discontinuing the practice even in consideration of the proposed exclusion of British seamen, you may concur in an article, stipulating, that the subject of impressment, together with that of commerce, between the two countries, be referred to separate negociation, to be undertaken, without delay, at such place as you may be able to agree on, preferring this city, if to be obtained."

But two days after these instructions had been written, the American Secretary addressed another letter to the commissioners, which contained the following from his Government.

"On mature consideration, it has been decided, that under all the circumstances alluded to, incident to a prosecution of the war, *you may omit any stipulation on the subject of impressment, if found indispensably necessary to terminate it.* You will of course *not recur to this expedient until all your efforts to adjust the controversy in a more satisfactory manner have failed.*"

In order that there should be no possible misunderstanding as to the object and determination of the United States, which was now only anxious to secure peace at all hazards, and on almost any terms, that the liberality of Great Britain might concede to her, the American Secretary transmitted another official communication to the commissioners on the 11th of August following, in which he stated —"By my letters of the 25th and 27th of June, of which another copy is now forwarded, the sentiments of the President, as to the conditions on which it

will be proper for you to conclude a treaty of peace are made known to you. It is presumed that either in the mode suggested in my letter of 25th of June, which is much preferred, or permitting the treaty to be silent on the subject, as is authorised in the letter of 27th June, the *question of impressment may be disposed of, so as to form no obstacle to a pacification*"—And accompanies this humiliating concession —this abandonment of every former position it had assumed by the following, rather ill-timed sarcasm, —" This Government can go no farther, because it will make no sacrifice of the rights, or honour of the nation."

That the commissioners were guided in their negociations by these instructions of their Government, is very evident, from the language used in their subsequent communications with the British commissioners, in one of which is contained the following passage: —" The causes of the war between the United States and Great Britain having disappeared by the maritime pacification of Europe, *the Government of the United States, does not desire to continue it in defence of abstract principles, which have, for the present, ceased to have any practical effect.*"

What a change was here!—what a commentary, in the language now quoted, on the conduct of America—at one time assuming the elevated and dignified position of an independent state, which had engaged in offensive warfare, to redress what she declared to have been (however erroneous in fact, and belief,) the aggressions—the wrongs com-

mitted against her sovereignty—compromising her future existence as a nation, now degenerating into a defence of mere "abstract principles" for which it was no longer worth the while contending. But the nation had had a trial of its strength—it felt its inherent weakness, and the absence of all moral force in its pretensions. The war, which it had thus so wantonly provoked, had been carried to her own door—to her very capitol, with traces of its ravages along her entire line of coast.* Her foreign policy, controlled by an overweening vanity—governed by an implacable hostility to England, and also influenced by an undue attachment to revolutionary France, had plunged her into difficulties with which she could no longer contend, with any degree of safety to herself, or without endangering the integrity and stability of the Republic. † Disaffection

* "Meanwhile the enemy scours the sea coast—blockades our sea ports; ascends our bays and rivers; makes actual descents in various and distant places; holds some of them by force; and threatens all that are assailable by fire and sword."—From the report of the delegates from the legislatures of the states of Massachusetts, Connecticut, Rhode Island, and the county of Windham in the states of Vermont, assembled in convention 15th December, 1814.

† "Hostility to Great Britain and partiality to the late Government of France, *adopted as coincident* with popular prejudice and subservient to the same object, party power.—Connected with these, must be ranked erroneous and distorted estimates of the power and resources of these nations—of the probable result of those controversies, and of our political relations with them respectively."—Ibid.

had spread itself in several parts of the Union: the eastern states of New England became alarmed for the restoration of their trade, which the naval power of England had already annihilated—the south languished under the depreciation of its staple articles of export, being now cut off from every European market—the finances of the country became disorganised, while public and private credit was shaken to its centre. A consternation had seized upon the abettors of this nefarious scheme, who saw no means to relieve or extricate the country from the calamities that every day increased, and in fearful anticipations pressed around, than by seeking an inglorious peace, in the sacrifice of every principle—the abrogation, or at least, the abandonment for the while, of every assumed right for which they had contended. It will be borne in mind, that five days after America had declared war against England, there remained but one ostensible cause for its further prosecution—"the searching and impressment of British seamen out of American vessels," that betrayed the United States into an unworthy and reprehensible coalition and continued her in her hostilities with Great Britain, until the 24th December 1814; on which memorable day, (the eve of the Nativity) a treaty of peace was formally signed at Ghent by the Commissioners of both powers, and subsequently ratified by their respective Governments. This treaty consisted of eleven articles, and is in substance as follows:—

Article 1*st*, provides, that there shall be a firmly

established peace between his Britannic Majesty and the United States, and that all territory, places, and possessions, whatsoever, taken from either party by the other, during the war, shall be restored without delay.

Article 2nd, prescribes the time within which hostilities shall cease in certain latitudes.

Article 3rd, directs, that all prisoners of war taken on either side, as well by land as by sea, shall be restored as soon as possible after the ratification of the treaty.

Articles 4, 5, 6, 7, and 8, regard the appointment of Commissioners for the purpose of deciding upon the boundary line between the British American provinces, and the United States.

Article 9th, declares, that his Britannic Majesty and the Government of the United States shall immediately put an end to hostilities with the Indians, with whom they may be at war at the time of the ratification; and forthwith restore to them all the possessions, rights, and privileges which they enjoyed before the war, provided that such Indians agree upon their part to desist from hostilities.

Article 10th, denounces the *traffic in slaves, as irreconcilable with the principles of humanity and justice*, and both the contracting parties, agree to use their best efforts to promote its entire abolition.

The last article provides, that the treaty shall be binding upon both parties; and that the ratifications shall be exchanged in the space of four months from the 24th of December, 1814, or sooner if practicable.

Thus ended, by a very natural termination, this very unnatural contest; and though of limited duration, and might be considered, of circumscribed consequence to Great Britain, from the variety of other demands upon her resources, in her wars with other, or European nations, still pregnant of instruction to the United States, of which she may, at a future day, avail herself to some useful purpose; and learn from this experience, to restrict her pretensions, and frame her code after some more reasonable mode, and more in accordance with the theory and principles she has so often and ostentatiously promulgated to the world:—and while she proclaims, that she will ask nothing but what is right, and submit to nothing that is wrong, she should learn, on the other hand, to always *submit* to *what is right*, and carefully abstain from asking, that which common sense and the plainest reason must tell her, is, at all times, manifestly *wrong*, as well as *inadmissible*.

There are some, indeed, whom no experience can possibly teach; some, who, starting into life by the aid of the most unpardonable dissimulation and practised fraud, find it necessary to sustain themselves before the world by its continued repetition. Such men, are, more or less, to be found on the surface of every society, constituting the unsound and decayed branches of the social body. They are also, and, perhaps, more peculiarly the growth of the western world, and are nurtured into exuberance by the congenial, though diversified climate of the United States. "It is," to use the words of Bacon,

" but a faint kind of policy, for it asketh a strong wit, and a strong heart, to know when to tell the truth, and to do it."

But whatever character a people may assume, in their individual and social relations with each other, its Government should at least be exempt from all these impurities, and stand forth to the world as a mirror and archetype of integrity, of honour, and of virtue. From the rise, progress, and termination of this war, may be deduced a useful—an essentially moral and instructive lesson, to the humble and unpretending, as to those who hold the prosperity and well-being of millions—the fate of nations within their grasp. The first act of the United States, in this contest, was characterised by the veriest dissimulation, in the notoriously false and unjustifiable pretence, on account of which it was waged. Neither these, nor the covert object which she contemplated, were attained, or were they attainable, by the means sought for their accomplishment. The war, it has been shewn, was, in every way, disastrous to the republic; the subsequent peace, in every way, humiliating to the pride, and lowering to the honour of the nation; notwithstanding which, we have the President of this sensitive and thinking people, immediately on receiving the treaty of peace from the American commissioners, transmitting a message to both Houses of Congress, from which the following is taken :—

" I lay before Congress the copies of the treaties of peace and amity between the United States and

his Britannic Majesty, which was signed by the commissioners of both parties, at Ghent, on the 24th December, 1814, and the ratification of which has been duly exchanged.

" Whilst performing this act, I congratulate you, and our constituents, upon an event which is highly honourable to the nation, and which terminates with peculiar felicity a campaign, signalised by the most brilliant successes. (!)

" The late war, although reluctantly declared by Congress, had become a necessary resort, to assert the rights and independence of the nation. It has been waged with a success which is the natural result of the legislative councils, of the patriotism of the people, of the public spirit of the militia, and of the valour of the military and naval forces of the country. Peace, at all times a blessing, is peculiarly welcome, therefore, at a period when the causes of the war had ceased to operate, when the Government had demonstrated the efficiency of its power of defence,"—(the war, be it remembered, was, on the part of the United States, intended as an offensive one:)—" and when the nation can review its conduct without regret and without reproach."

Without *regret* it may be, though in this we are somewhat sceptical, but surely not without *reproach*, or that self-condemnation that is generally the more severe and insupportable, the more it is deserved. It was only in the month of January in the preceding year, that Mr. Munro, then Secretary of State, addressed the American commissioners at Got-

tenburgh, stating, " the sentiments of the President have undergone no change on that important subject," (the subject of general search and impressment). " This degrading practice *must* cease; *our flag must protect* the crew, or *the United States cannot consider themselves an independent nation.*" The committee of foreign relations of the House of Representatives, in their official report, held forth the same intelligible language. " War," (they stated) " having been declared, and the *case of impressment* being necessarily included, as *one* of *the most important causes*, it is evident it must be provided for in the pacification. *The omission of it in a treaty of peace would not leave it on its former ground; it would be, in effect, an absolute relinquishment.*" " It is an evil which ought not, which cannot be longer tolerated." " *It is incompatible with their sovereignty. It is subversive of the main pillars of their independence.*" Yet was peace sought for and wooed by the nation, and ultimately conceded by Great Britain, without even an informal understanding between the plenipotentiaries, either as to the " the right of search," or " impressment," or even an allusion being made, in any part of the treaty, to either of these controverted questions. But enough on this subject. " When a people have no touch of conscience, no sense of their evil doings, it is bootless to think to restrain them."

It may be well to state, that on no occasion has Great Britain exercised this right of search, of which

America complains, except when engaged in hostilities with some other maritime power, when the right became hers, not only of visiting and searching all American vessels, that her cruisers might fall in with on the high seas, but also, the vessels of every other nation, without distinction, or favour. It is a right that does not exclusively appertain to England: it is one equally belonging to every other belligerent naval power, placed in any similar position—secured to them under the recognized and well established law of nations, and may be enforced, as no doubt it often has been, as well by Russia—Sweden — Denmark — Prussia—Holland — France —Spain, and other maritime states, as by England, against whose well established claim in this respect, it had pleased America to take exceptions. Nay, it is a right that may be equally assumed by any properly commissioned private armed vessel, whenever the nation to which she may belong should be at war. Were it indeed otherwise, then would there be an end—a speedy and final termination of every species of maritime warfare—of hostilities directed against the trade and commerce of an enemy, superseding every, the least necessity for the continuance of one solitary ship of war of any belligerent nation being put into commission for this purpose.

This right, we assert to be universal: but we shall suppose a plain and very simple case in which the correctness of this position will appear manifest; assuming for this purpose that America, as was lately

near being the case (1836) at war with France. A squadron of her men-of-war put to sea, and soon after fall in with a convoy of French ships on their way to Martinique, or Guadaloupe in the West Indies, intending to make their first rendezvous at Antigua, Barbadoes, or some British island, for which they are shaping a direct course. With them every deception—every stratagem would be perfectly admissible; whilst being yet uncertain as to the character of the American ships, they hoist the British Union instead of their own flag at their mast head, knowing England to be at the time at peace with all the world, and continue their route as at first fallen in with. Now, will any Amercan say, that a *ruse* of this kind should protect these vessels from a full and thorough search by every ship in the American fleet—allowing them to pass unmolested to their destination? We think not, but that he, who could gravely assert to the American people an absurdity of this kind, would at once be set down, as well he might be, either as a fool or a madman. Yet, such is the language that America holds forth to England —the extravagant assumption to which she requires her adhesion. It is the same miserable and unceasing cant to which we have in every part of the United States been compelled to listen to—served up to every foreigner, who may chance to visit this land of promise, with the usual addenda, that to maintain these assumed rights—"every citizen throughout the union was ready to expend his best blood and treasure."

The right of search that America would no doubt exercise in this instance, to its full extent, is not only that which England claims for herself, as for every other belligerent nation, but is such a right as the United States would be perfectly justified in assuming as a matter of positive necessity, whenever placed in similar circumstances. Without it, and more particularly, without exacting the information that can only be acquired by a minute scrutiny into the papers of ships or vessels met with at sea—their clearances—their bills of lading, ship's books and vouchers, including the registry, and muster roll of her crew, it would be utterly impossible to determine the title to the property she may have on board, or the nation, under the protection of whose flag, she is really and in fact entitled to sail. Nor is it to be supposed that Great Britain, however anxious to preserve an amicable understanding with the United States, will at any future day consent to the abandonment, or temporary abridgment of this essential privilege, or the abrogation of a right already secured to every other maritime nation. Her position as a great naval power, too immediately depends upon its enforcement, and which we apprehend she will never feel disposed to relinquish, at the request, much less at the insolent dictation of any nation whatsoever.

The impressment of British seamen out of American ships, is a subject of equal importance, and is entitled to a separate consideration. It is perfectly true, that under the right exercised by

England in this respect, there may have been some unwarranted acts committed, either through the carelessness, the remissness, or culpable ignorance of British commanders, who through misadventure, error, or mistaken zeal, have very possibly in some instances, exceeded their most positive instructions; sometimes, perhaps, to the injury of American trade and commerce. But these are abuses in the application of the principle, and certainly no argument against the measure itself. It is but right to add, that Great Britain has at all times evinced a readiness to atone for any such abuse, by every full and ample compensation in her power to offer.

The British constitution ensures the fullest protection, with many other concomitant advantages to every British subject, not otherwise in arms against its authority, at every age and in every clime where British power and influence are acknowledged; and which exacts from such subject, as a fair and just equivalent in return, his implicit and unqualified allegiance; which cannot be forfeited, cancelled, or altered, by any change of place, time, or circumstances, nor by anything, but by the united concurrence of the British Parliament. An Englishman, or British subject, who may remove to France, China, Hindostan, or America, owes the same allegiance to the crown of England whilst there, as he does at home; and at twenty years hence, as he does now; for it is an element of universal law, acknowledged by every nation, save, perhaps the United States, whose interest it is to adopt a new principle

of political ethics, for the furtherance of European emigration to her shores, and the more rapid increase of her population, " that the natural born subject of one prince, cannot by any possible act of his own, put off, or discharge his natural allegiance, without the concurrent act of that prince, or the nation of which he is the head, to whom it is first due."

But the United States has attempted to establish an adverse doctrine, and to make Great Britain adopt her wild and speculative theories on this head, suited only to the region of her own territory, and the promotion of her own interests.

It would, we apprehend, be an unnecessary effort upon our part, an act of supererogation, to attempt at the present day, a defence of the obligations recognised in the allegiance that every subject owes to his government and country. But these duties are reciprocal—extend to, and equally control the nation, as the citizen or subject—the governing, as the governed; and so long as is insured to the latter, those several advantages, rights and immunities, many of which are denied to foreigners, or subjects of another state, and that full protection is afforded in their full and proper exercise, so long is the subject bound to serve that nation, whenever legally required, at the sacrifice of will and convenience, and at the risk and peril of his life. The question then to be considered, is not the abstract right to exact the services of British seamen, or of any other subject, that England may insist on in time of war, for this is already well established, and

universal in its application, but the right which she assumes under her impressment laws, of detaining such her subjects for this purpose, when found on board of American, or other foreign ships.

It is altogether unnecessary for any present purpose to stray into an examination of the other and equally admitted principles, assailed by the law of impressment, by means of which, nevertheless, the fleets of England are principally manned in time of war. Its extreme and absolute necessity, sanctioned by immemorial usage, independent of any positive legal enactment, or constitutional right, is the best apology that can at any time be offered for its adoption; whilst as the practice is of long observance, sustained by the concurrent sanction of the united legislature, and can only bear reference to British subjects, it can scarcely come within the province of any foreign power to raise objections to its enforcement.

Having already in this chapter disposed of the controverted question of the "Right of Search," which equally belongs to all belligerent nations without distinction, we will now, for our further purpose with reference to the impressment of British seamen from American vessels, assume, that a British cruiser in the practice of her every day duty in time of war, should perchance fall in with, and board, an American ship at sea; and that in the necessary examination of her papers and crew, there should be found several British seamen enrolled among the latter. The instructions to the British

commander are, to impress British sailors, whenever or wherever fallen in with; he requires no further authority; the laws of his country expressly sanction the procedure, while his personal notice of requiring the services of all British seamen he may so meet, is tantamount to a more express notification from his government to these parties, and in the name and on behalf of the nation that he represents, he makes a demand on the American captain that they be forthwith surrendered, or given up to him. Yet, the request is not complied with; on the contrary, an adverse claim is set up by the American, who insists that these seamen, though British born, are naturalised citizens of the United States; or, that being British subjects, had entered or enlisted with him for the voyage, and were bound under an express compact to continue in his employment for this specific period. But it must be borne in mind, that whichever, or if both these assertions are true, that any act of such seamen could not annul their early obligations, or rescind their first allegiance to Great Britain; whilst any contract, that the American captain or his owners could have entered into with them, or to which such seamen were competent to become parties, could only have effect, while reserving the rights of others, entitled by prior claim to at any time, exact their services. From the moment that a demand is thus made on the American captain, requiring him to deliver up such British seaman found on board his vessel, and that he refuses to do so, we apprehend, that from

that moment, he must be considered as forcibly detaining, or overholding, the property of another, to which he has no just or possible claim; and is no longer entitled to the consideration or ordinary courtesy that under other circumstances is usually extended to neutral friends. The duty of the British commander under any such event, is, we should imagine, a very obvious one. He finds the property of his nation, the services of her seamen, (that, be it remembered, are only theirs to dispose of, as contingent, or secondary to the prior claims of their country, as they may think fit,) forcibly taken or withheld on board of a foreign ship, bound, perhaps to some foreign, or other than a British port, and far beyond his future reach or control:—there is no court of competent, or delegated jurisdiction, as in the instance of most other controverted questions near at hand, and to which he can appeal, and he consequently exercises for his government, and as its properly constituted officer for this purpose, the common right of every individual, who would be deemed perfectly warranted under such circumstances, of seizing by force, if necessary, upon his property, whenever found in the hands of an unjust and wrongful possessor. There is, in fact, no other tribunal beyond that of mere force, from which redress could be obtained; for so long as America, in controversion of every established principle and former usage, chooses to deny the right, so long will she refuse to co-operate with England, in determining when those rights are invaded, or to allow

for any injury Great Britain may sustain, by reason of their violation by her citizens. Even now, should a British ship lying within the waters of the United States, have occasion to complain of the desertion of any part of her crew, the laws of America, as pointed out in the preceding chapter, afford the captain, or parties concerned, no possible protection or redress.

There have, perhaps, been occasions, when England, in the exercise of this justly assumed right, may, unintentionally, have overstepped her proper and defined limits, and impressed American seamen from on board their own ships. Yet, it is unjust to charge her with having done so, with a desire to encroach upon the rights of the United States, or otherwise, than with a full belief, that such seamen were of her own subjects, an error that was the more excusable, when we consider the similitude of language—of manners, habits and pursuits, equally characteristic of the two nations.

It is at all times a subject for regret that such mistakes should have occurred, affording to the United States a fair ground of remonstrance and complaint; whilst this we may aver, that in no instance, where America has adopted this course, so perfectly consistent with her own dignity, and in accordance with the general usages of friendly nations under all similar circumstances, or where she has laid claim for any of her seamen, under whatever or peculiar incident they may have been pressed into the British service, and that she has been able

to sustain her demand by any reasonable evidence, but that her representations have been immediately attended to—her citizens at once discharged, and every atonement made by England, that it was reasonable and proper to expect from her. It ill becomes America to protest against this infraction, or to encourage a testy and pugnacious disposition on this score, so long as two-thirds of her fleets are manned by British sailors, and her men-of-war at all times the asylum of British deserters,—the runaway seamen of her ships.

In closing our observations on this subject, we cannot avoid quoting from the manifesto of the Prince Regent, late George the Fourth, promulgated on the 9th of January, 1813, in reply to the sophisms and perverted statements of President Madison, in his previous (war) message to the United States Congress. The language of his Royal Highness, though mild, is of a lofty and dignified character, and truly represented the opinions and feelings of the nation of which he was the head. What a contrast does it present to the petulant reasoning, and constrained position assumed by the American President, and subsequently adopted by the American people, as their rule of conduct.

"His Royal Highness can never admit, that in the exercise of the undoubted, and hitherto undisputed right of searching neutral merchant vessels in time of war, the impressment of British seamen when found therein, can be deemed any violation of a neutral

flag; neither can he admit that the taking such seamen from on board such vessels, can be considered by any neutral state, as a hostile measure, or justifiable cause of war.

"There is no right more clearly established, than the right which the sovereign has to the allegiance of his subjects, more especially in time of war. Their allegiance is no optional duty, which they can decline and resume at pleasure; it is a call which they are bound to obey. It began with their birth, and can only terminate with their existence.

"If a similarity of language and manners may make the exercise of this right more liable to partial mistakes, and occasion abuse when practised towards vessels of the United States, the same circumstances also make it a right, with the exercise of which in regard to such vessels it is the more difficult to dispense.

"But, if to the practice of the United States to harbour British seamen be added their assumed right to transfer the allegiance of British subjects, and thus to cancel the jurisdiction of their legitimate sovereign, by acts of naturalization, and certificates of citizenship, which they pretend to be as valid out of their own territory as within it, it is obvious, that to abandon this ancient right of Great Britain, and to admit these novel pretensions of the United States, would be to expose to danger ourvery maritime strength."

We cannot attach too much value to the important document from which we have extracted the

foregoing, independent of its historical appreciation, as well the state paper of President Madison to which it is in reply: they explain most fully the real, with the ostensible and assumed cause that led to the late war between Great Britain and the United States, involving questions of the utmost consideration, and which without some determinate arrangement, as regards them, can scarcely fail in being again brought up as a subject for angry controversy between both countries, at some future and perhaps early day.

We need scarcely again observe, that this right of search, is purely a belligerent right, exercised in time of war only, and cannot coexist with a state of profound peace. But there is another right of search, or more properly speaking, a right of visitation, perfectly compatible with the continuance of the most amicable relations with all other states, which is essential to restraining abuses committed on the high seas, and the enforcement of a proper decorum and police observance throughout all parts of the maritime world; the exercise of which, under certain contingent circumstances, Great Britain insists on, as of common right, equally belonging to every other government. The first, and as we apprehend, the only opportunity that has occurred between nations to call forth a remonstrance, or dissent from its generally acknowledged principles, was on a late occasion of objections raised by the United States, to the search or visiting of American vessels by British cruisers on the African coast, on a suspicion

of their being engaged in the foreign slave trade; and which the United States, (to mark with still greater force her inconsistency,) declared to be piracy under the laws of the Republic. England had already entered into treaty with the other principal maritime states of Christendom for the suppression of this inhuman traffic; and for the better carrying out its provisions, had conceded a mutual right of search, otherwise a purely belligerent right, of the ships or vessels of either, or any of the contracting parties fallen in with by their respective cruisers on the high seas, within certain defined latitudes; and a further right of detention of such vessel, if found engaged in this species of commerce.

No entreaty, however, could persuade the United States to become a party to a contract such as this, (that would have best tested the honesty and sincerity of her professions;) and though it was notorious that a considerable part of the trade in slaves from the African coast, if not actually undertaken by her own citizens, had at least been carried on under the protection of her flag, (the star-spangled banner,) but which it were still possible, may have been improperly assumed by other parties for the more secure conduct of this barbarous and abhorrent system. It will scarcely afford surprise, that whilst the United States legitimizes within her own territory, an extensive and habitual trading in human flesh, she could feel no very earnest desire, to check its growth and direct supply from other remote and distant parts of the world, and we consequently

find but few instances recorded, where she has made any very serious effort to its discontinuance, but has left the task, principally to England, with whom she has always been ready to carp and quarrel, as to the measures that have been found necessary, and adopted by her, in her effort to its ultimate suppression.

The temporary detention and overhauling of some American vessels of suspicious character in the African seas, by Her Majesty's cruisers, in 1841, was the occasion of the first made remonstrance of the United States, through its then minister, (Mr. Stephenson) at the British court, who complained of such interference, as "an unwarranted aggression upon the vessels and commerce of the United States, and independence of the American flag;" and by whom, on behalf of his government, the right of visit, was distinctly denied, and as unequivocally reasserted by Great Britain, as necessary to the ascertaining the *bonâ fide* character of every vessel of suspicious appearance fallen in with, (especially in those particular latitudes,) and whether in point of fact, such vessel is entitled to the protection of any country, even of the nation whose flag she may assume or adopt at the time; "for otherwise," as is justly remarked in the reply of the British minister, Lord Palmerston, in his official communication to the American government, August 27th 1841, "every slave trading pirate, whether Spanish, Portuguese, Brazilian, or English, or French, or whatsoever nation he may be, would immediately sail under the colours of the United States; every

criminal would do that, though he could not procure genuine American papers; and thus all the treaties concluded with christian powers for the suppression of the slave trade, (his lordship might have added every species of piracy and crime committed on the high seas) would be invested with complete impunity."

The public law and usages of nations against this asserted right of the British Government on the other hand, were appealed to by the United States, based upon the principle, that the vessels of all nations, navigating the ocean, or public high-way, "shall be freed from every species and purpose of *interruption* and *detention*, unless engaged in some traffic contrary to the laws of nations, or expressly provided for by treaty or compact;" as well the law of England, referred to in the decision of the late Lord Stowell, in proof of the right of visitation and search being always considered of a purely belligerent character. "I can find no authority whatsoever," declared this eminent jurist, in the case of a French vessel detained by a British cruiser, on the coast of Africa, and which was put forward by America, as a case in point,—"that gives the right of interruption to the navigation of states upon the high seas, except that which the right of war gives to belligerents against neutrals:" at the same time that the American minister, admitted in his diplomatic note of 10th of August preceding, that an extensive and unauthorised trade in slaves, was carried on with a perfect impunity on the high seas, under the

American flag, which had been grossly abused for this purpose. "In relation to the conduct of other nations," (observes Mr. Stephenson,) "who endeavour to cover their infamous traffic by the fraudulent use of the American flag, the United States cannot be responsible. It has taken the steps that it deems best to protect its flag as well as its character from abuse, and will follow it up by such other measures, as may appear to be called for. To what extent the flag of the United States may have been used for this purpose, the American government had no means of judging. That it has been grossly abused however, there was too much reason to believe and deplore; but whatever this abuse may have been, it would have no just influence, either to strengthen or weaken the right asserted by the British Government."

The reply of the British minister, (Lord Aberdeen) contained an unqualified dissent from the proposition assumed by the American government. It was a full and perfect refutation of the sophisms, and unsettled theories advanced by the United States, and whilst assenting to the principles laid down by Lord Stowell, and the perfect inviolability of the vessels of other states, in the peaceful navigation of the high seas in time of profound peace, under which America, if she so pleased, might monopolise the entire traffic in slaves without hindrance or molestation, successfully contended for the right of visitation by the armed cruisers of every nation, of such vessels of a suspicious character as they might fall

in with, notwithstanding the flag they might assume, and which it was argued could not be deemed any positive or conclusive evidence of such vessels' nationality; but that it was the privilege of the armed vessels of Great Britain, as indeed of every other nation bound in treaty with her, to ascertain the fact, by the more positive evidence of her ship's papers, documents, &c., while the admission made by the American minister of an extensive slave traffic being carried on under colour of the American flag, furnished a sufficient ground of suspicion as to all vessels met with in the African seas, adopting the national ensign of those states, and created in itself, that right of inquiry for which Great Britain contends. "We sincerely desire to respect the vessels of the United States, (declares the British minister,) but we reasonably expect to know, what it really is that we respect. Doubtless the flag is *prima facie* evidence of the nationality of the vessel, and if this were in its nature conclusive and irrefragable, it ought to preclude all further inquiry. But it is sufficiently notorious, that the flags of all nations are liable to be assumed by those who have no right or title to them;" and adds, "the British Government renounces all pretensions to visit and search American vessels in time of peace. Nor is it as American, that such vessels are now visited. But it has been the invariable practice of the British navy, and as is believed, of all navies in the world, to ascertain by visit, the real nationality of merchant vessels met with on the high seas, if

there be good reason to apprehend their illegal character.

"In certain latitudes and for a particular object, the vessels referred to are visited, not as American, but either as British vessels engaged in an unlawful traffic, and carrying the flag of the United States for a criminal purpose, or as belonging to states, which have by treaty, conceded to Great Britain the *right of search*, and which right it is attempted to defeat, by fraudulently bearing the protecting flag of the Union; or finally, they are visited as piratical outlaws, possessing no claim to any flag, or nationality whatsoever."

This explanation is nevertheless insufficient to satisfy the United States which requires an entire abandonment on the part of the British Government, of all right of visit, as of search, (which it insists, are of synonymous application,) of the vessels of the Republic, and that if enforced by Great Britain, would be considered by the United States as a violation of its national rights and sovereignty, and of the incontestable principles of international law. But Great Britain had not rashly incurred this responsibility, or without due caution, or determined the course it was her duty to pursue, without that reasonable forethought and proper sense of the obligations owing by her to other states, as to her own laws and institutions. A great and paramount question was at issue; of importance to the United States, but of equally essential consequence to Great Britain, and that not only involved the maritime

rights that she claimed for others as for herself, but the usefulness and efficiency of her exertions in the suppression of the slave trade, in which she had made such extraordinary efforts, and expended so much valuable treasure; and in the furtherance of which, and the great principle of universal freedom it embraced, was at this very time submitting to the imposition of onerous and heavy restrictions upon the individual comforts and supply of her population, in the necessary exaction of heavy import duties on the produce of slave labour—including very many of the essential or common necessaries of life.

The note of Lord Aberdeen in reply, though calm and dignified, reiterated every former pretension of the British Government, on whose behalf he disclaimed the right of interference with American vessels, and again explained, in the plain and comprehensive language used by his lordship on the occasion,—"that the right asserted by Great Britain, has, in truth, no resemblance to the right of search, either in principle or practice. It is simply a right to satisfy the party, who has a legitimate interest in knowing the truth, that the vessel actually is, what her colours announce. This right we concede as freely as we exercise it. The British cruisers are not instructed to detain American vessels under any circumstances whatever; on the contrary they are ordered to abstain from all interference with them, be they slavers or otherwise;" and added, in the language of caustic and well merited

rebuke,—"but when reasonable suspicion exists, that the American flag has been abused for the purpose of covering the vessel of another nation, it would appear hardly credible, had it not been made manifest by the repeated protestations of their representative, that the Government of the United States, that has stigmatized and abolished the trade itself, should object to the adoption of such means as are indispensably necessary for ascertaining the truth." "That with American vessels, whatever be their destination, British cruisers had no pretensions in any manner to interfere—such vessels must be permitted, if engaged in it, to enjoy a monopoly in this unhallowed trade; but that the British Government will never endure, that the fraudulent use of the American flag shall extend the iniquity to other nations by whom it is abhorred, and who have entered into solemn treaties with Great Britain for its entire suppression." And in order to prevent any unreasonable ground for complaint, his lordship concluded this last note to Mr. Everett, who had succeeded Mr. Stephenson as the United States representative to the Court of St. James', by communicating to him the substance of the instructions on which British cruisers act, in relation to American vessels, when employed on this service: these instructions point out:—

"If from the intelligence which the officer commanding Her Majesty's cruiser may have received, or from the manœuvres of the vessel, or from other sufficient cause, he shall have reason to believe, that, although bearing the American flag, the vessel

does not belong to the United States, he is ordered, if the state of the wind and weather will permit of it, to go a-head of the suspected vessel, after communicating his intention by hailing, and drop a boat on board of her to ascertain her nationality, without detaining her if she shall prove to be really an American vessel. But should this mode of visiting the vessel be impracticable, he is to require her, to be brought-to for this purpose. The officer who boards the vessel is merely to satisfy himself of her nationality by her papers or other proofs, and should she really be an American vessel, he shall immediately quit her, offering, with the consent of her commander, to note on her papers the cause of suspecting her nationality, and the number of minutes she was detained, (if detained at all) for the object in question. All the particulars are to be immediately entered in the log of the cruiser, and full statement of them to be sent by the first opportunity, direct to England."

This deference to the affected sensitiveness of America on this question, which was only short of the entire abandonment by Great Britain of this positive and necessary right, was nevertheless insufficient to satisfy the morbid feelings of the United States, that still required its entire abrogation as a concession due to its sovereignty and flag. Its continued enforcement, even under the restrictions pointed out in the instructions to the commanders of British cruisers, added to the numerous other subjects of international disquiet and embarrassment then subsisting between the two countries, and that occasioned the mission of Lord Ashburton on the part of Great Britain to the United States in 1842, for the purpose of their final and satisfactory adjustment. No sooner, however, had these other difficulties been set at rest, and a treaty for this special purpose been ratified by the

Governments of both countries, than the contentious and angry spirit of the United States, sought a pretext to pervert its first and principal object, and to wrongfully insist, that with the numerous concessions which England had made to appease the discontented and irate spirit of America, she had also, if not in direct and positive terms, at least impliedly assented to the final abandonment of her right of visitation of the ships and vessels of the United States within the limit of the African seas; which perversion of the treaty was also attempted to be sustained by the American President in his subsequent message to Congress, and in terms of such unwarranted distortion, as to require the British minister, in his place in Parliament to again, and formally declare, (on 2nd July, 1843) the final and positive determination of Great Britain in this respect.

"I rejoice," declared the British Premier (Sir Robert Peel), "that the Hon. Gentleman who has preceded me, (Mr. C. Wood) has given me an opportunity of making some observations on the late message of the President of the United States, and the spirit in which I have always spoken of America, makes it a doubly painful duty to me to have to refer to that message, which I am sorry to say, does not give a correct account of the negotiation relative to the right of visit. Perhaps, I may do right, to confirm what the honourable gentleman has said, that there is nothing more distinct than the right of visit is from the right of search. Search is a belligerent right, and not to be exercised in time of peace, except when it has been conceded by treaty. The right of search extends not only to the vessel, but to the cargo also. The right of visit is quite distinct from this, though the two are often confounded. The right of search

with respect to American vessels, we entirely and utterly disclaim; nay more, if we knew that an American vessel were furnished with all the materials requisite for the slave-trade—if we knew the decks were prepared to receive hundreds of human beings within the space in which life is almost impossible, still we should be bound to let that American vessel pass on. But the right we claim, is to know whether a vessel pretending to be American, and hoisting the American flag be *bona fide* American. We claim the right to know, whether a grievous wrong has not been offered to the American flag; to know, for instance, whether a Portuguese, or Brazilian schooner, sailing under the American flag, be really what she seems to be. In the admirable dispatch of my noble friend, dated 20th December 1841, he wrote thus:—'The undersigned apprehends, however, that the right of search is not confined to the verification of the nationality of the vessel, but also extends to the objects of the voyage, and the nature of the cargo. The sole purpose of the British cruisers is to ascertain whether the vessels they meet with are really American or not.'

"The right asserted has no resemblance to the right of search either in principle or in practice. It is simply a right to satisfy the party who has a legitimate interest in knowing the truth, that the vessel actually is, what her colours announce. I am surprised that the United States should contest this, considering the many small states by which they are surrounded, and how easy their revenue might be injured if it could once be established as a principle, that a foreign vessel might become exempt from visitation by hoisting any particular flag. With such a principle recognised, neither the revenue nor the commerce of the United States could be safe for an instant. But I know that the United States do deliberately exercise this right in the seas adjacent to their own coast; I know that if a Mexican vessel were to hoist the British flag under suspicious circumstances, the United States would not hesitate to exercise the right of exposing the fraud; and knowing this, I am the more surprised at the claim set up by the President of the United States. Therefore, sir, it will be my duty in the face of the public, expressing

deep regret that there should appear to be any difference of opinion on this topic, explicitly to declare, that we have not waived one of the principles contended for by my noble friend (the Earl of Aberdeen) in his dispatch of December 1841 ; and it is further my duty to declare, that, that dispatch has remained to the present hour unanswered by the Government of the United States. I know, I think, too well, what is the ability, and what the keenness of a Secretary of State in the United States, to believe that if doctrines so important as those advanced in the dispatch, could be questioned, it would have been permitted to remain fourteen months unanswered and unacknowledged, had it been thought wise to contest these principles. And, sir, with respect to this right of search, this is not a belligerent, but conventional right, which is used by one power for the purpose of humanity, to check the traffic in slaves, I am bound to say, that even on that point, I am surprised at the determination with which the United States refuse that mutual right. I am now speaking of that right of search which by the treaties with the great powers of Europe ; by treaty with France and other states, is mutually conceded by parties desirous to prevent effectually the traffic in slaves ; a right to search vessels belonging to each country which is a party to the treaty, detected in carrying on the trade. For, in the year 1824, a convention was signed in this country, by Mr. Rush, the minister of the United States, almost at the instigation of America, which professed the utmost desire to put an end to the African slave trade. A convention was signed by Mr. Rush with Mr. Huskisson, which did mutually concede the right of search, that is to say, which enabled vessels of war, of the United States and Great Britain respectively, to exercise, under certain stipulations, that very right of search against which such a clamour is now raised in a neighbouring country. That treaty was rejected by the senate of the United States, not on the ground of an objection to the right of search, but because the right of search extended to the coast of America; and the United States objected to the right of search being exercised in the immediate neighbourhood of the coast of America, alleging that it was not necessary for the suppression of the slave trade. The senate of the United States omitted the coast of America,

and Mr. Canning refused to ratify the treaty in consequence of that omission. But if Mr. Canning had allowed the coast of America to be omitted from the treaty, at this moment a convention authorising the right of search would have been in force, with respect to the United States.

"There must be some great misunderstanding upon this subject: but considering the importance of maintaining this right —a right not peculiar to England—considering that we are contending for a right which is the only security against fraud, against the grossest abuses by parties interested in this iniquitous traffic—considering that we are now the advocates of a principle necessary for the interests and security of all maritime nations:—it is my duty to state in the face of the House of Commons, that the claim to the right of visitation contended for in the dispatch of Lord Aberdeen has not been relinquished; that on this subject there was made no concession whatsoever; and that to the principles laid down in the dispatch of Lord Aberdeen, we adhere at this moment."

This announcement was received with *loud cheers* from both sides of the House. When they had subsided, the Right Hon. Baronet proceeded to state:—

"With respect to the treaty we have entered into with the United States, in signing that treaty we conceive we have abandoned no right of visitation. We did not understand from the United States that they entered into that treaty with any engagement from us to abandon the right of visitation, which is not necessarily connected with the question of the slave trade. We thought it was a step in advance, when the United States professed a readiness to detach a naval force to the coast of Africa for the purpose of suppressing the slave trade, we did not accept the detachment of that naval force as an equivalent for any right which we claimed; yet, still we thought that for a great country like the United States, to take that step with us on the coast of Africa, although it is limited under the treaty in such case, although we claim no right to visit slavers, bona fide American, and the right is to be exercised by vessels of the United States—we thought it, I say, a step in advance towards

the ultimate suppression of the slave trade to accede to the proposition of the United States.

"But in acceding to that, we have not abandoned our claims in the slightest degree, nor did it ever make any part of our intention during the controversy, to abandon the right to which we lay claim, in the dispatch I have mentioned. We have not contented ourselves, sir, with leaving this fact to become known by a declaration in this house; but since the appearance of the President's message, we have taken an opportunity of intimating to the United States the construction we place on the treaty."

The position in which both nations are thus placed by the claim, and distinct announcement of Great Britain on the one hand, and the dissent and protest of America on the other, is such, as the friends of peace and continued friendly intercourse between both countries, can scarcely consider without apprehension as to their future good understanding. The right which Great Britain insists on, is one, which the United States has already refused to acknowledge, even as a belligerent right, preferring to risk the chances of an unequal and protracted war, than submit to what she considered a national degradation, "lowering to her pretensions as an independent State;" and in a more practical sense, injurious to the trade and commerce of her citizens, which she is bound at every hazard to protect. Certainly, on no other question could the sensitive notions of the American people be so easily excited, or an appeal to their passions, be so readily responded to; whilst England, equally resolved, has proclaimed her positive determination to carry out her object, and to continue the visitation of every suspicious

vessel her cruisers may chance to meet, within the limit of the African seas, or elsewhere.

It is impossible, on reviewing the entire of this question, which includes the right of search, as of visitation, to consider it otherwise, than one of the utmost importance to the future amicable relations between both countries. America has ventured too far, sustained her pretensions in too unbending and lofty a tone, from which it were now difficult to recede without national humiliation; whilst England, resting with a full confidence in the justice and propriety of her demand, has too many interests dependent on the absolute enforcement of her present claim, to abandon one iota of these pretensions, which are not only sanctioned by an absolute necessity, and the common right of all maritime nations, but are hallowed by the sacred and ennobling ties of humanity and christian benevolence towards the wretched African, and of that charity, which demands our utmost sympathy and interference, on behalf of this proscribed and severely persecuted portion of the human race.

We cannot close our observations on the navy of the United States, and the relative naval position of both countries, without noticing the changes which we may reasonably anticipate in any future hostilities, from the introduction and use of steam power, as made applicable to naval warfare.

The rapid advance that within the last few years has been made in science of every kind, and the development of the mighty resources to which man's genius has given birth, especially in the improvement of the steam

engine, and its applicability to the purposes of steam navigation, has created a new and important era in the history of the world, which promises in the further application of this immense power, to supersede many of the former and accustomed modes of warfare, and to introduce some other more destructive and ready means of settling "nations' quarrels" in its stead. Regions wide apart, have, by its agency, been brought into close affinity with each other—the customs of distant climes have been in part assimilated, by a nearer and more intimate association of habits and ideas, while the general and still increasing facilities of communication which it presents, has eminently tended to promote the general good—the prosperity and advancement of the entire human race.

It is impossible to foresee, even with our present experience, the mighty revolution still concealed within its capabilities, but which a few short years, at the speed of its past developement, will in probability bring about. An extended, if not an entire change in maritime warfare, must be supposed as of its early realization, with results, which are far beyond our present forecast, or means of anticipating; whilst believing, that few nations are more exposed to its consequential and material influence, even in its present imperfect demonstration, than the United States. Any future war between her and Great Britain would be conducted on very different principles from those which have gone before. It would rather, we apprehend, be a war of incursions and not of conquest, aiming at the integrity of the

Republic—its disorganization and ultimate dismemberment through its own institutions. The experience of every past year—the conflicts between both nations, in the war of 1812, as in the struggle for American independence, point out to Great Britain the inexpediency, from an entire hopelessness of ultimate success, of any hostile efforts against America on the inland territory of her own soil. The peculiar nature—the uncleared and generally unimproved condition of the country—its wide expanse, with the many other natural difficulties which it presents, would render such project abortive and mischievous, and would rather tend to concentrate the power, and add strength to its government, which is otherwise feeble and unequal to the demands and necessities of the country,—uniting those discordant and jarring elements which are intermixed throughout every part of its present social and political system, of which it would be the especial province of any hostile nation to take advantage. An incursive war — a harassing and uncertain state of hostilities on the entire coast, would tend more effectually to enfeeble and disorganize the confederacy, and promote the objects of an active and persevering enemy, than any other mode of directing or carrying on hostilities, that ingenuity or talent could possibly suggest. The manner in which all former maritime wars were necessarily conducted, generally in vessels of a large draught and tonnage, precluded the adoption of this principle where America was concerned, from the inaccessi-

bility of the several inlets and smaller harbours on her coast, except in some few instances, and in vessels of light and easy construction.

The substitution of steam power in vessels of war —its ready application to the sudden and rapid transhipment of almost any force—its capacity in expediting the movements of larger bodies, and facilities of invading almost at any point the entire of an enemy's coast, and by means of vessels of adequate size, to visit every estuary and harbour, and penetrate to the source of almost every river—the rapidity with which such vessels could effect their escape, and change their point of attack, together with the late improvements in marine gunnery, must produce many new and important revolutions in naval warfare, and lead to consequences, far beyond our present anticipation or belief.

To no country would these changes bring about the same results, the same material and mighty consequences, as to the United States. Heretofore, partially secured from foreign aggression, by the shallowness and inaccessibility of many of its approaches, and being in part protected by sea-defences at those points subject to all former attack, its population had heretofore, comparatively little of the horrors and vicissitudes of war to contend with, to which the future application of steam power will from henceforth necessarily expose them, on all points of their coast; carrying its desolating consequences into the remote regions of their inland territory, and making their entire lake and sea-coast, extending to near 4000

miles, one vast military garrison for the protection of their soil, their institutions and laws.

America has been singularly remiss in her attention to this part of her marine; being restricted, according to the report of the Secretary of the Navy to Congress, November 24th, 1843, to two steam-frigates of twelve guns; two of eight, one of six, and one of four guns; in all, six vessels. Still, it must be borne in mind, that the peculiar properties of steam-power, its capabilities as an element of war, though paramount to every other, in the exclusive mode of attack suitable to the United States, are, as yet but partially developed, or ascertained; insufficient to determine its efficacy, when opposed to all former and accustomed modes of naval warfare on the high seas.

The late Syrian campaign, it is alleged, has tested its usefulness; but it must also be admitted, under very insufficient circumstances to ascertain the objections to which it may still be made liable, in its more general application. The recent hostilities in China have also proved its many peculiar advantages, in inland or river warfare, especially, when employed in conjunction with sailing vessels of war, where it cannot fail in being a powerful auxiliary. But we are left to conjecture its efficiency in the more general purposes for which the navies of belligerent powers are made applicable, either as a defensive, or offensive means, in all cases of hostilities on the high seas. Neither, on the coast of Syria, much less within the rivers of China, have we had suffi-

cient evidence, arising from any past actual experience, to warrant a supposition, that steam-power, as applicable to naval warfare, is as yet sufficient to supersede every other accustomed agency, and for which so many intelligent and experienced men, nevertheless, contend. As a transporting medium, steam-vessels are of incalculable advantage; equally so, when directed against the trade and commerce of an enemy. They may also, no doubt, be found of much value in protecting convoys, in conjunction with other sailing vessels, and of material service in the aid they will always be able to afford, as a constituent part of any large fleet of men of-war, either in the assistance they may supply to the more formidable or cumbersome ships belonging to it, or as advance, or look-out vessels, when sailing in company. For all these services they require no very heavy armament to ensure their efficiency, their capabilities of horse-power being of more essential consequence than any increased number of guns, beyond what they may require for their protection; or as cruising vessels against the commerce of an enemy. Whatever advantage may be secured to them in conflict with sailing vessels, must be principally derived from their facilities of manœuvering, of choosing their position, and of engaging at whatever range they may think proper. These, no doubt, are formidable odds to possess over an opponent, were a belligerent party in a condition to take advantage of them, without incurring other or countervailing risks.

This, we conceive to be impossible, from the principle on which steam vessels of war are at present constructed. There is no range at which a steam-frigate may attempt to engage, that she may not be met with a force, or armament, of equal calibre, to neutralise any superiority in this respect; at the same time, any advantage that may be derivable from her facilities of rapid change in manœuvering, can insure but very little benefit at any lengthened distance, or beyond the range of the artillery now usually employed in the vessels of almost every nation. Should she, on the other hand, near an antagonist, for the purpose of engaging her with more effect, all the benefit she might ever hope to derive from her steam facilities, may be overcome, or neutralised by one chance shot among her machinery, placing her at the mercy or disposal of an opponent, even, it might be, of less pretensions or available force than she herself may lay claim to. As it is, and though admitting the vast capabilities of steam-power, as an element of war, in the mode we have pointed out, and as especially applicable to the United States, we can scarcely argue on the hypotheses for which so many contend, of its superseding, in its present development, and more general application, every former and accustomed mode of warfare; or censure the policy of the United States, in restricting this arm of her national navy to the very few steam-vessels belonging to it, at least, until some better means may be devised to protect steam-ship machinery from the risks and many casualties

incidental to its exposure in its present mode of construction.

The United States is far behind Great Britain in her capabilities of steam-ship building; in the construction and manufacture of marine engines, especially suited for man-of-war purposes; the resources of England, in this respect, being far beyond any other naval power in existence. Her steam navy, in 1830, numbered but eight vessels of war, independent of her packet-service. In 1839, it consisted of thirty-three ships of war, with thirty-eight employed as packets, exclusive of hired steamers, making altogether seventy-one vessels, many of them 1000 tons, and 400 horse power. The policy of England since then, has encouraged private enterprise in the building of steam-ships, immediately for her packet-service, but constructed on the principle of war-vessels, and in every way suited to carry heavy armaments, and to be added to the national navy, at a valuation, under contract with their owners, in the event of any future hostilities.

These vessels, of which there are four employed in the transportation of the mails from England to Halifax and Boston, and sixteen others, of the largest class, engaged in the same service to the West Indies, Gulf of Mexico, &c. are of a very superior description, built as war-steamers, of the best materials, and are under the immediate controul of the British Admiralty. They average 1200 tons, and from 440, to 500 horse power. There are also several other war-steamers, of the largest class

now building in the Government dock-yards, which are in rapid progress of completion. These, when added to the number already afloat, or which the Government, at a short notice, could make available, would increase the British navy to at least 100 steam-ships of war, the greater proportion of them, of the largest class.

There are also, very few of the steam-ships employed in the British merchant service, which are all sea-going vessels, that might not be employed as war steamers; at least, in the transport of troops, provisions, and munitions of war. By a late report of the Commissioners appointed by the Board of Trade, (Captain Pringle of the Royal Engineers, and Mr. Parkes,) we find, that the total number of all vessels of all sizes and classes propelled by steam, belonging to the United Kingdom and the Colonies, exclusive of those of the Royal Navy, amounted to 810;—the registered tonnage being 87,907; to which add the tonnage of the engine room, not registered, 69,933; making altogether 157,840 tons, impelled by 63,250 horse power.

CHAPTER VI.

Conduct of the United States in her diplomatic intercourse — Late treatment of Mexico — Annexation of Texas — Incentives to its union with the United States — Statement of the American Press in relation thereto — The right of Texas to withdraw herself from the Mexican Confederation — United States' treaty with Spain, 1819 — Texas an integral part of the Mexican territory — Real, as well as ostensible cause of Texas discontent, and severance from Mexico — Negotiation beteen Texas and the United States as to Annexation — Unwarranted conduct of the United States, and breach of international courtesy — Climate and soil of Texas — Consequence of Annexation to the United States — Interest of the Southern States antagonist to the North — Annexation of the Canadas, or the Oregon territory, as a necessary equipoise to the increased influence of the South — British pretensions and settlement in the Oregon — President Polk in relation thereto — Statement of the British Commissioners annexed to the Protocol of the sixth conference with the American Plenipotentiary as to Oregon, in 1826 — Convention between Great Britain and the United States, 1827, in relation thereto — Present embarrassing condition of this question — Culpable remissness of the British Government — Treaty of Nootka — Remarks on the United States pretensions — Political boundaries, climate, soil, &c. &c.

The conduct of the United States in her diplomatic intercourse with other nations, has always been marked by a degree of shrewdness and sagacity — of capability and talent in the sustainment of her views, though oftentimes irreconcileable with that strict justice and impartiality — that full apprecia-

tion of right, and sensitiveness of wrong, that we would at all times wish to recognise, more especially in a nation that affects to adopt Great Britain as her example, and with whom so many of our interests are nearly and intimately associated. But the equity and reasonableness of American pretensions are not to be determined by the earnestness in which they are usually put forward; no more than the incentive by which she is generally influenced, can be ascertained by the pretexts set forth in her justification. Propriety and strict justice are as easily lost sight of—put aside in the unreasonableness of her demands, that are more frequently regulated by the prudential motive of expediency, and the assumed advantages to be derived from their acknowledgment, than from a consciousness of their rectitude, or any other laudable consideration. The nation is often the furthest from the accomplishment of its purpose, when loudest in its assertions; and will generally submit with a most becoming and praiseworthy resignation, to the disappointment and mortification of a decided rejection of its pretensions, if conscious that the arguments by which they are met, are likely to be enforced by more convincing proof on the part of those states possessing the power, as the will, to resist her aggressions.

We have pointed out in a preceding chapter the wretched mockery of independence assumed by the United States in the "Caroline affair," in which the life of a British subject (Alexander McLeod) was supposed to be jeoparded—the affectation of national importance

by which it was begirt in its many changes, with its prudential and satisfactory termination—The difficulties originating in the manumission of American slaves in the island of Bermuda and the Bahamas, which the United States protested against, as a violation of her rights and the property of her citizens, though compelled to acquiesce in the principle asserted by Great Britain in relation to cases of this character—The "right of search and impressment" question, on which America had rushed with an ill-directed precipitancy in 1812, equalled only by her very sudden revocation, or abandonment of her pretensions in 1814.*—The right of visitation, to which we have more recently alluded, in which the prudence and forbearance of the United States is to be extolled, if not more generally imitated.

How very opposite the conduct of America when engaged in any controversy with other, weaker states, and that she believes to be unable to resist her aggressions, or resent whatever outrage she is ready to inflict, unrestrained by any other consideration than her immediate personal or individual advantage.

Her late treatment of Mexico in the forcible

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* "War having been declared, and the case of impressment necessarily included as one of the most important causes, it is evident it must be provided for in the pacification: the omission of it in a treaty of peace would not leave it on its former ground; it would be in effect an *absolute relinquishment*."—Taken from the report of the Committee of Foreign relations of the House of Representatives, 1813.

seizure and annexation of a large portion of her territory (Texas) to the American states, is of her recent transgressions, and that can seek no possible justification in any of the circumstances with which it is surrounded. A more flagrant act of unjustifiable interference, we believe to have been seldom recorded in the history of civilized nations.

America will be judged by this deliberate outrage upon a neighbouring and independent state, with which at the time she was in peace and amity, and that had scrupulously observed all her treaty obligations with her. But the stake for which she ventured her fame and character, was of no unreal or ordinary kind. She saw in Texas—in the fecundity and capabilities of its soil—its peculiar fitness for the indigenous growth, and matured production of the various staples that constitute the wealth and principal resources of the country, a rival to her prosperity and future commercial well-being, and that in any near alliance, or under the controul of any of the great European powers, especially of France, or England, might be converted to her injury and disadvantage. Its possession, in consequence, was deemed of the utmost importance to the Republic, and that put aside every honourable and accustomed observance, in effecting its subsequent and late annexation.

Those who have watched the progress of the early settlement of this infant state, the mixed and varied materials of which its population is composed, as well the recent ambition and recklessness of the

United States, have long been prepared for this consequence.

Made up, principally, of emigrants from the United States, with the strong prepossessions in which they have been schooled from early life, that has taught them to believe the laws and institutions of the Republic as ensuring advantages beyond every other form of government—the absence of all sympathy between them and the Spanish American or Mexican States, from which they have so lately separated—the weakness of their recent position—their extreme financial embarrassment, and the necessity of forming a coalition, or political alliance, with some more powerful state as a guarantee to their future protection and continued peace, all combined to create and foster the design for years past, of an annexation of their territory, as well an identification of interest and feeling with the North American republic, of which they now constitute an important integral part.

This new state having renounced her allegiance to the Mexican government, and maintained her independence against every past effort at her subjugation, can now scarcely be called upon, at least by those states that have already acknowledged her separation, to account for any course she has adopted to ensure whatever she may have believed to promote her future prosperity and advancement. But with the United States, a somewhat different principle, in the instance of her recent annexation must apply; and that can scarcely free the Republic

from the charge of having thrown aside all proper and becoming restraint—the recognised observances that should regulate her action and intercourse with foreign nations, in wooing Texas to her embrace, and subsequently enrolling her a joint member of her confederacy.

The public press of America, that with few exceptions, has endeavoured to reconcile this last act of perfidy as co-existent with the obligations that is due from the United States to a neighbouring and friendly power, have thought to explain, that Texas has no right to be considered as having ever formed a part of the Mexican territory; that it originally belonged to France, and in 1803, was sold, together with the territory of Louisiana to the United States for sixteen years, or until the year 1819, when it was transferred by treaty to Spain. That Mexico was at this period in revolt against the parent state; whilst it is also contended, that in making over this large tract of country by the United States to Old Spain, it could in no wise be deemed a surrender of it to to her revolted colonies.

Texas, it is further alleged, became *de facto* independent of Spain, and of all the world in 1836, even before that Spain had acknowledged the independence of Mexico herself; and that such having been the case, it was perfectly competent to the United States, and consistent with the amicable and good understanding subsisting between her and the Mexican Government, to enter into whatever treaty stipulations, or connection with Texas she might

think proper, irrespective of any other consideration than the advantages that might result to either, from any arrangement of this kind, to which she might become a party.

There would appear some plausibility in this view of the case, that when explained, will scarcely afford the United States the pretext for which she seeks, in the unprecedented and reprehensible course she has just taken.

The revolt of the Spanish American colonies is of sufficiently recent date to be within general recollection, as also, the fact of the state, or territory of Texas, soon after its transfer to the crown of Spain, having made common cause with the other states comprised within the Mexican confederacy, in resisting the authority or jurisdiction of the mother country.

We have no disposition to question the right exercised by Texas, in subsequently withdrawing herself from this confederation—from that which she may have considered an uncongenial and dissatisfied connection, to assert her individual or separate sovereignty. She, very possibly, may have been quite justified in adopting this extreme course. But it is an error to assume, that she had established this independence, even before that Spain had recognised the separate national existence of the other states comprised within the Mexican Republic. Nay—it might be presuming far beyond what the actual circumstances, or acknowledged observances of all international law would warrant, to assert this

independence, except under the ægis of American interference, as finally established—or until Mexico should acknowledge its existence, or that the separate nationality of Texas should be so far determined, apart from its present wrongful position, as to be placed beyond all doubt or possibility of Mexican re-conquest or subjugation.

On 22nd February, 1819, a treaty was concluded at Washington between Spain and the United States, by which the territories of East and West Florida, with the adjacent islands, were ceded to the latter, and the boundaries, defining the possessions of the two countries west of the Mississippi, established, as they were subsequently confirmed, by a treaty of limits concluded between the United States and the Mexican republic. By this treaty, the United States formally abandoned all and every pretension she might have had to the territory of Texas, as part of Louisiana.

Mexico achieved her independence in 1821, and continued under the Imperial Government of *Uturbide*, and subsequently of a temporary Executive, until a new constituent Cortes had been called together in 1823, when the Federal Constitution, modelled after that of the United States, was decreed on the 1st of January, 1823, and received the unanimous approval of the several States in the month of October following.

By a decree of the constituent Cortes, dated 7th May, 1824, the territory of Texas, already forming a part of the republic, was conjoined to Coahuila, and declared to continue, until she might possess the

elements necessary to constitute her a separate state of the confederacy, when, with the approval of the National Congress, the connection was to be dissolved, and an independent and separate state legislature given to Texas, that approved of the arrangement.

The constitution of Texas and Coahuila as forming a part of the Mexican Union, was decreed on 11th March, 1827; the 6th Article of the preliminary dispositions of which, declares "the territory of the state is the same which comprehends the provinces heretofore known by the name of Coahuila and Texas. A constitutional law shall fix their limits, with respect to the other adjoining states of the Mexican Federation."

It may be well to observe, as explanatory of the real or more positive cause of Texan disconduct, that the Government of Mexico, in its primeval organization, being desirous to give effect to the immediate suppression of the slave-trade within its territory, and the gradual removal of slavery within its jurisdiction, decreed, by article 30th of the law of 4th of January, 1823, that after the publication thereof, "there can be no sale or purchase of slaves which may be introduced into the Empire. The children of slaves born in the Empire, shall be freed at fourteen years of age." And by the laws of Coahuila and Texas, of March 24th, 1824, Article 46, "New settlers (as regards the introduction of slaves) shall become subject to the existing laws in relation thereto, and which may hereafter be established."

Article 4th of the law, of 23rd March, 1831, enjoins, that importers of slaves after the expiration of the time mentioned in the 13th Article of the Constitution, (11th Sept. 1827,) " will be subject to the penalties established by the general law of 13th July, 1824."

The 5th Article also declares, " slaves are free on the death of their owners, who have no lineal heirs, and in case of descent by lineal heirs, one-tenth are free, to be determined by lot."

By Article the 10th of the general law of the Mexican Republic, of the 6th of April, 1830, it was declared, that " no further change can be made with respect to the colonies already established, nor slaves they contain, but the prevention of the further admission of slaves shall be exacted under the strictest responsibilities."

The subsequent change in the fundamental law and constitution of the country from an unrestricted federalism, to a more central form of republicanism, is the pretext put forward by Texas in seeking to free herself from a connexion, that she asserts no longer appeared to offer her a guarantee for the preservation of her liberties, or the securing to her the advantages of a good local government.

We shall leave to the political casuist—to the more profoundly learned in such matters to determine the justification that such a pretence may afford to this state, to disavow her allegiance to the Mexican Union, and to forcibly withdraw herself from a coalition, to which she had been equally bound with the other states of this Republic, under the assumed

pretext of its no longer appearing profitable or advantageous to her interests to continue. But least of all, can the United States adopt the principle in justification of her recent interference, in the conduct she has pursued towards Mexico, in not only encouraging this revolted province in her contumacy and rebellion, but in actually annexing this large portion of the Mexican territory to her own soil.

The change, or transition of the Mexican territory into separate states, for the purpose of carrying out the federal arrangement, adopted in her form of government under the decree of 1st of January, 1823, could scarcely be considered analogous in principle any more than in fact, with the confederacy of States comprised in the North American Union. The compact assented to in this latter instance, was the base and settlement of a combination agreed upon and carried out to its full development by several distinct and independent commonwealths, for their advantage and mutual good—a limited, or part surrender of their individual or sovereign rights and privileges, to a central head, or government, for this purpose; and was, to a certain extent, an approach to the centralism from which Mexico had diverged, that had exacted no sacrifices, nor received any equivalent from the other and distinct portions of her territory thus separated into the various states comprised within her Republic. In partly returning to this *centralism*, she had merely retraced her steps, and approximated to her former stead, as most suited to the character

and necessities of her population : and, as we are inclined to consider, without giving to any separate portion of her territory a reasonable pretence or justification to abjure its allegiance, or to take up arms against her authority.

Texas, any more than any other portion of this confederacy, has had no cause or defensible pretext to ground her revolutionary proceedings on alleged breaches of faith, or of contracts made and broken with her, by the Mexican Government, as with the other states of the Republic, of which she also formed a part; for she never entered into, or became a party to any, direct or implied; and at the time of Mexico adopting a federal organization as her form of government, was in her incipient and undeveloped state of political being as a territorial dependancy of the Republic, that unfitted her to assent, or otherwise, to any contract or arrangement for her future government.

The principle asserted in the right enforced by Texas, comes recommended with a peculiarly bad grace from the government and people of the United States, where we have lived to witness the most daring of executive innovations forced upon the country—the entire commercial and monetary system of the Republic thrown into confusion, and bankruptcy and ruin, brought home to seven-tenths of the entire population, and yet no voice upraised against the usurpation, or to assert the disseverance of the union, and its return to its former state of disconnected and separated commonwealths by rea-

son of these proceedings. On the contrary, and as in the case of South Carolina in the years 1832 and '33, the assumed power of any one state to withdraw of her own free will from the confederacy, on any real, or assumed pretext, is strongly denied by the government and great majority of the people, sustained by Story, Webster, and other eminent jurists of the United States, who assert, that such power, the right of revocation of any previous compact, can only subsist between separate and independent governments.

But the stimulant applied to Texan discontent, while it excited the ardour of every Texan citizen in pursuit of Texan independence, might more easily be traced to the laws of the Mexican federation as applied to slavery within its limits, than to any other cause:—the positive interdict that these laws had placed upon the continuance of this nefarious traffic, and that ill accorded with the assumed interests and pecuniary advantages that each citizen hoped to derive from his voluntary and recent settlement in the country.

There was land in abundance, and of a generative kind, but without means, or the necessary labour within reach to ensure its reclamation, or the development of its assumed capacity and productiveness; whilst it would have ill accorded with the character of this new-born state, to proclaim in more distinct terms before the world, the incitement or real cause that stimulated its exertions, or the covert purpose that lay concealed beneath the pretence de-

clared to have existed, in the change of constitution, and subversion of the fundamental laws of the Republic, as established under the decree of the 3rd of October, 1835, and that a reference to date and facts will point out to have taken place, subsequent to the actual period that this embryo republic thought fit to assert her capacity for self-legislation, in forcibly resisting the established laws and paramount authority of its parent head.

Though the laws of Texas, (on her assuming an individuality and separate independence) in withholding a direct sanction to the African slave-trade, yielded a submission to the understood will of the principal European powers, especially of Great Britain, that could scarcely be required to acknowledge her independence or enter into treaty stipulations with her, whilst engaged in this abominable traffic, the utmost latitude was, nevertheless, given to the introduction of slaves from the United States, as well as a facility to their importation from whatever quarter beyond the limit of this state, they might chance to arrive.

The 9th section of the Texan constitution, adopted in convention by delegates assembled 17th March, 1836, provides—

"That all persons of colour who were slaves for life previous to their immigration to Texas, and who are now held in bondage, *shall remain in like state of servitude;* provided that such slaves shall be the *bona fide* property of the person so holding said slave as aforesaid.

"Congress shall pass no law to prohibit immigrants from bringing their slaves into the Republic with them, and holding

them by the same tenure by which such slaves were held in the United States; nor shall Congress have power to emancipate slavery; nor shall any slaveholder be allowed to emancipate his or her slave or slaves without the consent of Congress, unless he or she shall send his or her slave or slaves without the limit of the Republic. No free person of African descent, either in whole or in part, shall be permitted to reside permanently in the Republic without the consent of Congress; and the importation or admission of Africans, or negroes, into the Republic, excepting from the United States of America, is for ever prohibited, and declared to be piracy."

This law strangely contrasts with the just and enlightened spirit that directed so very opposite a course in the Mexican councils on the same subject, and that has given a character and meaning to the Texan revolution, that divests it of any of the ennobling or redeeming attributes of a great national effort at independence. It was justly remarked by the Honourable John Quincy Adams, in 1836, in his place in the American House of Representatives, in speaking on this subject, and deprecating the interference of the United States in the war then raging in Texas, that it was a "Mexican civil war, and a war for the establishment of slavery, where it was abolished."—"It is not a servile war," observed this eminent philanthropist, "but a war between slavery and emancipation, and every possible effort has been made to drive us into a war on the side of slavery."

Every circumstance connected with the revolt of this state, points out to this inevitable conclusion; and that however impatient of any positive, or mere

imaginary restraint placed upon her freedom, and against which Texas ostensibly revolted, she was led to this extreme by a selfish and very opposite impulse; and was mainly influenced in taking up arms against Mexican authority and rule, to secure the many advantages she hoped to derive, not so much from the substitution of any more liberal or enlightened principle of legislation in her form of government, as from the introduction of an immediate slave population within her territory, as necessary to the progressive developement of its numerous resources, that lay beyond the capacity or means of the enervated and enfeebled white citizens of her own soil, to call into active exercise or existence.

To conjoin her to the North American confederacy, she conceived, would not only leave her these assumed advantages unimpaired, but also give her ample means of slave labour, in the appropriation of the superabundant slave population of Virginia, Maryland, and other slave breeding states of the North American Union, to her own use, and a full prosecution in this iniquitous career under the influence and paternal care of the laws and institutions of the American Republic—besides, the connection being otherwise of importance, as assuring her protection against all future hostile interference on the part of Mexico; at the same time, securing a forced admission of her independence of Mexican authority or power, by every other government, in her recognition as an integral part of the North American Union. In consequence, the mea-

sure of annexation became the primary or charter question, introduced into every political controversy or discussion throughout this new state, until the legislative bodies, such as then existed, were impelled to its consideration, in accord with the public feeling, that declared in its favour by an unanimous vote of the entire population. A special minister (General Hunt of Texas, formerly of South Carolina,) was in consequence, appointed to proceed to Washington, for the purpose of making the first overtures to the United States, for the immediate annexation of the entire Texan territory to the North American Republic.

It is to be observed, that one of the last of General Jackson's official acts, and on the last day of his official existence (3d of March, 1837) was his signing the resolution of the United States Congress, for the acknowledgment of the independence of Texas.

On the 6th of July following, General Hunt, as Envoy Extraordinary, and Minister Plenipotentiary of the Republic of Texas, was formally presented to the United States President, and on the subsequent 4th of August, and in pursuance of the special objects of his mission, addressed a long communication to Mr. Forsyth, then Secretary of State, setting forth the many and peculiar advantages that could scarcely fail to result to the United States and to Texas, from the proposed connection, and urged with peculiar force the proposition he was thus instructed

to submit on behalf of his government, in the course of which he stated ;—

" Texas, in seeking to place herself among the states of the Union, is prompted mainly by a filial reverence for the constitution and people of the United States."

No doubt these " promptings" were very creditable to the discernment and good feelings of the Texan population, many of whom in their recent migration, had withdrawn themselves from the protection of this very constitution, under a constraint it may have been, that required them to forego the advantages, if not the more direct interference of its criminal jurisdiction.

Still, this sentimental outpouring of the Texan Envoy, though very excellent in its way, was not exactly the style of argument to suit the mind or disposition of the American Minister ; some other more persuasive reasoning was necessary to satisfy Mr. Forsyth of the strict propriety, as well the advantage to result in the measure submitted for the approval of his Government. To meet every anticipated or probable objection, General Hunt continued—

" Texas brings to this negotiation, not only the resources already recapitulated, but her sovereignty. She brings, too, that which in the eyes of the naval powers of Europe will constitute the material ground for the foundation of the most liberal commercial treaties, viz., her immense forests of live oak, comprising, according to the estimate of President Houston, in his message of the 5th of May, 1837, four-fifths of all that species of timber now in the world. She brings, too, a market

for all the various manufactures, and all the agricultural products of the United States, excepting those of cottons and sugar, and these she will contribute from her own soil, to swell the already colossal amount of the exports of this nation. The territory, and with it the enterprise of the country, will be extended; her political power will be increased; and the undersigned trusts he will not be considered intrusive in expressing his deep conviction, that the union of these states will be strengthened by the annexation of a people whose proudest impulses are for its continuance and glory." * * * *

"Texas is not disposed to yield to any foreign nation the privileges of her coast, involving the command of the Gulf of Mexico, nor can she concede them to the United States, unless in a treaty of union. As an independent power her interests would conflict with those of the United States; and without annexation, her struggle in the formation of commercial treaties would most naturally be directed to the establishment of the principle of a preference of her cotton and other products in foreign markets over those of the United States.

On the 25th of August following, Mr. Forsyth communicated the decision of the President to the Texan Envoy, in which he very pointedly stated—

"The inducements mentioned by General Hunt for the United States to annex Texas to this territory are duly appreciated; but powerful and weighty though they certainly are, they are light when opposed in the scale of reason, to treaty obligations, and respect for the integrity of character by which the United States have sought to distinguish themselves, since the establishment of their right to claim a place in the great family of nations. It is presumed, however, that the motives by which Texas has been governed in making this overture, will have equal force in impelling her to preserve, as an inde-

pendent power, the most liberal commercial relations with the United States. Such a disposition will be cheerfully met in a corresponding spirit by this Government. If the answer which the undersigned has been directed to give to the proposition of General Hunt should unfortunately work such a change in the sentiments of that Government, as to induce an attempt to extend commercial relations elsewhere, upon terms prejudicial to the United States, this Government will be consoled by a consciousness of the rectitude of its intentions, and a certainty that although the hazard of transient losses may be incurred by a rigid adherence to just principles, no lasting prosperity can be secured when they are disregarded."

This was the language of the United States, in 1837, under the presidency of Martin Van Buren—dignified, just, and proper, in its fullest meaning, and in every respect consistent with the elevated and honourable position it was the interest of the nation, as it evidently was its bounden duty to preserve amidst the "great family of nations," of which she had been admitted a member. But a few short years altogether changed the spirit of these councils—disowned every high and lofty pretension in the principle of international intercourse to which the United States stood pledged, and that caused her, not only to put aside that "respect for the integrity of character" and "rigid adherence to just principles," which the American Secretary so lately asserted as irreconcileable with her interference between Mexico

and her revolted province, but subsequently to become, not merely an assenting party to the arrangement just concluded between her and Texas, but the first to resuscitate the question of Texan annexation, which had otherwise been set at rest by the previous rejection by the United States Government, of every made overture on the part of Texas for this purpose, as well, by the further diplomatic note of the Texan Minister (Hon. Anson Jones) to the American Secretary; wherein he states, that—

"Although the question of annexation had been considered by the United States as finally disposed of, yet inasmuch as the impression appeared still to remain upon the public mind in both countries, that the proposition was still pending, he, (Mr. Jones), had been instructed by his Government to communicate to that of the United States, its final and absolute withdrawal."

The condition of Texas—its near proximity to the United States, to which it formed a south-west boundary, with its many and especial advantages as a conjoined territory of the North American Republic, invested the question of annexation, and notwithstanding this abrupt termination of the negotiation and formal rejection by the United States Government of the overtures made to her by Texas, as well as the subsequent resolution of the Texan Congress, with a more than ordinary interest, that continued the subject in the public mind as still open to discussion, and as an event of successive and necessary consequence, to be determined merely, by

time and opportunity. The election of President Polk to the presidential chair in the present year, was deemed a fitting opportunity to again bring the entire question under the consideration of the United States Congress, and where, after the usual formalities had been gone through, and a lengthened debate upon the subject, a vote to annex Texas to the United States Republic, was carried on 27th of February 1845, by the concurrent sanction of both chambers, in the senate, by a majority of 27 to 25, to which President Polk, immediately on his accession, gave his unqualified approval :* stating, also, in his inaugural address, that he regarded the question of annexation as belonging exclusively to the United States and Texas. That they were independent powers, competent to contract, and that foreign nations had no right to interfere with them, or to take exceptions to their re-union.

The announcement of President Polk, as also, the passing of the Annexation Bill by the United States Congress, was clearly and altogether indefensible; especially under the pretences that America insisted on, in considering the state of Texas as freed *de jure*, as *de facto*, from all right of controul or interference of the Mexican Government, that had not at this period absolved her from her allegiance, or acknowledged her title to a separate national independence; and with whom her relations were in no wise

* See Appendix (letter I.) for the joint resolutions of both Houses of Congress on this occasion.

changed from the position in which they stood at the date of the former rejection by the United States, of the overtures made to her by Texas in 1837.

But the question concerned the Republic too minutely—involved too many considerations, that were mixed up and intimately associated with her commercial system, to rest upon the punctilious observance of those over-nice distinctions, or the staid and admitted rules of international intercourse, that under other, or ordinary circumstances, might have stood in her way. Abandoning every former principle—abjuring every high and honourable purpose, she has been the first, by her initiatory proceedings, generated in the spirit of individual aggrandizement, and in the front and recollection of her recent public declarations, to resuscitate this question, and without any justifiable pretence, to rob Mexico of one of her fairest and most valued provinces—a country, at the time in peace and amity with her, and fulfilling with honour and good faith all the obligations of her treaties; trusting, as the United States has done, to the weak and enfeebled state of the Mexican Government to extend immunity to the wrong she has inflicted, and deeming it sufficient to reconcile her to this proceeding, that she apprehended a rival in Texas, in the extended capabilities which her soil presents for the indigenous production of her principal staples—the vast territory within her limit, and that secured capabilities to this new state, that if properly developed and brought

into exercise, could scarcely fail to interfere in the foreign market of the United States, with the productive industry and resources of her entire southern population. The realization of this project she was aware, would on the other hand, bring with it into the Union a large tract of virgin land to replace the exhausted and already worn-out soil of the older states, and open an almost unlimited market for her superabundant slave population; to the rearing of which, as a productive means of domestic trade, many of the Southern states have of late years directed their nearly undivided attention, as the best resource to which their impoverished lands may be applied—besides, securing to the south and its interests, as distinct from those of the northern and eastern states, a vast preponderance in the national councils, from the rapid increase of population and the numerous additional states into which Texas in the progress of time must become subdivided.

Yet, even in America, this question in its fulfilment can scarcely be considered free from embarrassment and all future difficulty. To the northern manufacturer, as well those who may seek to continue an exclusive monopoly of the home market, it can hardly come recommended for any of its numerous advantages; as an extended southern territory would necessarily give a preponderance to the anti-tariff party throughout the states. If on the other hand, that Texas, instead of conjoining her fate to the United States, had assented to continue in

a separate independence, "she might," in the language of a recent publication,* "force the whole of the American continent into the adoption of free trade principles, which would be still more conducive to British aggrandisement, as it would tranquillize her restless population by constant occupation, and by returning a superabundance of raw material in exchange for her fabrics, enable her to undersell the world."

The state of Texas, we consider to offer to the emigrant settler, but few inducements beyond the extreme fertility of its soil; its productiveness being generally admitted.

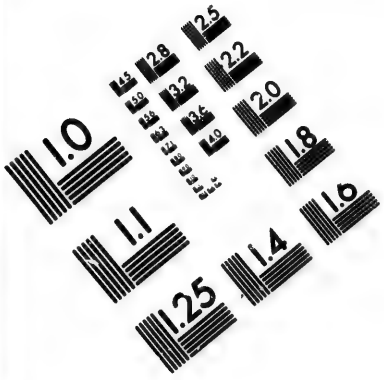
Colonel Almonte, late Mexican minister to the United States, in his report to the Mexican Government in 1834, as to Texas, states:—

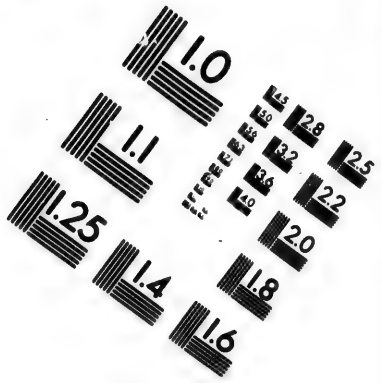
"The territory of Texas is vast, and adapted to the production of cotton, tobacco is to be found on the sections immediately on the coast and the margins of rivers; that of the more inland districts is better calculated for wheat, olives, sugar-cane, potatoes, &c., but generally speaking the production of any one part of Texas is common to the whole territory in greater or less abundance."

The peculiar adaptation of the soil and climate of Texas to the growth of cotton, is thus noticed in Captain Marryatt's late work, entitled, "A Diary in America."

"In the southern portion of America, there are millions of acres on which cotton can be successfully cultivated, particularly in Texas, the soil of which is so congenial, that they can pro-

* Rise, progress, and prospects of Texas, by William Kennedy, p. 310.





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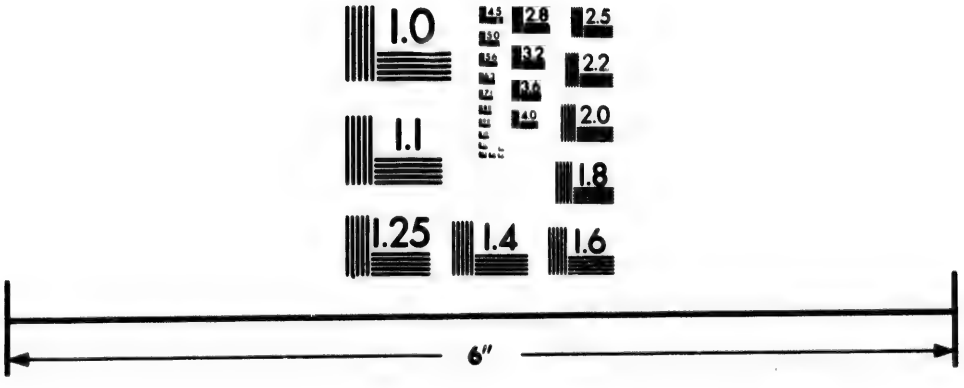

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duce 1000 lbs. to the 400 lbs. raised by the Americans, and the quality of the Texas cotton is said to be equal to the finest Sea Island. It is to Texas particularly that we must look for this produce. It may be asked how it is, as Texas is so far south, that a white population can labour there? It is, because Texas is a prairie country, and situated at the bottom of the Gulf of Mexico, a sea breeze always blows across the whole country, rendering it cool and refreshing, notwithstanding the sun's rays; this breeze is apparently a continuation of the trade winds."

There are other and frequent changes peculiar to the climate of this country, especially noticed by Humboldt, who says—

"On the eastern coast of New Spain, the great heats are occasionally interrupted by strata of cold air, brought by the winds from Hudson's Bay, towards the parallels of Havannah and Vera Cruz. These impetuous winds blow from October to March, and they frequently cool the air to such an extent that at Havannah, the thermometer descends to 52° of Farenheit, and at Vera Cruz to 60°, a prodigious fall for countries in the torrid zone. In Texas the strong northers set in about the month of November; and in December and January the cold north winds sweep down the plains with nearly as much regularity as the south-west winds in summer. In these ungenial months, the southerly winds sometimes interpose their kindly agencies, but only for a short time, being soon followed by rain, the sure precursor of a "norther." Early and late in the winter season, the "northers" usually blow from the north-east; in mid-winter from the north-west. The effect of these winds in changing the depth of the tide water of the bays is singular, and applies to the whole line of coast.

The "northers," which are peculiar to Texas and the eastern coast of Mexico, generally follow a few days of rain and southerly winds. They burst forth suddenly with a gust of wind that almost checks respiration, and seems to dry up all moisture of skin; severe cold immediately succeeds, and the thermometer frequently falls ten or twelve degrees within the half hour. Their average duration is three days; the clouds gradually dis-

appear a few hours after their commencement, leaving a clear cold sky: coming from a point west of north, they depress the mercury in the thermometer lower than easterly winds, but they are regarded as less prejudicial to health. During the summer months northers are of rare occurrence, and their rude visits are not an unmixed evil, as they tend much to purify the air. The shelter of the groves and woods, affords sufficient protection to cattle from their assaults."

The climate which partakes of the usual tropical features is generally healthy, except in the low marshy grounds, especially along the coast of the Gulf of Mexico; the temperature is variable, the thermometer in the shade frequently ranging from 90° to 100°, the nights are attended with cold heavy dews.

Kennedy, in his history of the rise and progress of Texas, states —

There is no malady that can be properly called endemic, and the febrile diseases that usually afflict early settlers, especially in southern latitudes, are of a mild type, completely within the control of medicine, and generally to be avoided by a few simple rules of living. Emigrants accustomed to northern habits should, at least until they are thoroughly "acclimatized," shun undue exposure to noonday sun, exercise caution in the use of fruit and salted food, abstain from ardent spirits, and refrain as much as possible from drinking, save at meals. To persons new to the climate occasional cathartics, followed by the use of bark, is beneficial.

If any part of Texas can be termed sickly, it is the narrow strip of country running parallel to the Gulf, where in the low timbered bottoms the rivers deposit the accumulations of their annual overflows. In this section, to which Providence has granted exuberant fertility in compensation for its comparative insalubrity, settlers are liable to be attacked by bilious and intermittent fevers; but after receding some distance from the

coast, no part of the globe is more friendly to the regular action of the human frame. The towns immediately on the coast within the direct range of the trade winds, are healthy, although rather trying to temporary sojourners from cold climes, during the months of June, July, and August. Pulmonary consumption, so destructive in England and the northern states of the American union, is almost unknown in Texas. Rheumatisms and chronic diseases are not prevalent, and nine-tenths of the Republic, are considered healthier than the most healthy parts of the United States. In the opinion of respectable medical men, a residence in this country, would be as favourable to persons of a consumptive tendency, as the south of Europe, or Madeira. As a general fact, it may be stated, that the farther from the land, bordering on the coast, the more salubrious is the locality, and persons who arrive in summer will be quite safe, by retiring fifty or sixty miles inland. Western Texas is best adapted to a northern constitution; and about the falls of the Brazos, or in the region lying about 70 miles above the mouths of the rivers westward of the Brazos, natives of Great Britain may settle, with at least as fair a prospect of longevity as they had at home."

According to the official statement of Colonel Almonte, who visited Texas in 1834, under a commission from the Mexican Government, and drew up a statistical report of the country, the section of the Mexican Republic, which may now be distinguished as Texas *proper*, is situated between 28° and 35°, north latitude, and 17° to 25° longitude west of Washington; bounded the north by the state of Arkansas; east, by the state of Louisiana; south, by the Gulf of Mexico, and the state of Tamaulipas; and on the west by Coahuila, Chihixhua, and the territory of New Mexico.

The future disposition and fate of Texas being

irrevocably fixed by her recent annexation, and against which Mexico has declared her solemn protest, we are left to conjecture its probable consequences to the United States Republic, to which it can scarcely fail to bring many embarrassing and perplexing difficulties. It has practically, and for many years to come, thrown the Government, its patronage and power, into the hands of the south; and that has already occasioned considerable jealousy and uneasiness in the northern and eastern states. It has engendered apprehensions, that will require the sagacity and prudence of the Government, as well the forbearance of every citizen, to protect the Republic against its consequences.

It may be difficult, in considering this altered position of the country, to surmise how long the southern states, with this preponderating influence in the legislative councils, and with an identity of interests antagonist to those of the northern and eastern parts of the Union, will submit their industry to be taxed in the foreign market as it is at present, contingent on the imposition of excessive duties on the import of foreign manufactured goods into the United States; and that beyond the absolute necessities of the Government, (that could at all warrant their exaction,) are levied in support of a comparatively small section of the population, in sustainment of a principle; that insists on the necessity of affording legislative protection to the manufacturing interests of the country;—endeavouring, by this means, to subvert the wise dispensations of Provi-

dence, in changing the habits and industrial energies of the northern population from the more profitable pursuit of agriculture, to become, by this expedient, a manufacturing people.

The principal basis of the entire foreign trade of America, and notwithstanding these exertions, must always continue to be its agriculture. For this, the United States is eminently fitted, both from the nature and character of her soil, and the almost boundless extent of productive country within her geographical limits. In 1839, when the entire value of her exports amounted to 103 millions of dollars, that of agricultural products exceeded 84 millions. And in 1842, when the total value of exports had decreased to 92,969,881 dollars, her agriculture, including also the products of her forests, amounted of this sum to no less than 74,556,143, of which the value of her cotton alone exceeded in amount 47,500,000 dollars.

But the active industry and intelligence, the physical and numerical strength and influence of the north, required to be reconciled by something more than any mere imaginary good, that the Union, as a whole, might be expected to derive from the late measure of Texas annexation. The preponderance of political influence and power, that such was supposed to confer upon the southern states, demanded an equal extension of political advantage to the other intersections of the Republic, by securing some adequate increase to their northern territory, as an equipoise to whatever disadvantage might possibly

result to them, from the realization of this recent measure.

The prosperous and peaceable condition of the Canadas, placed these provinces beyond any immediate speculation, or reasonable belief of the United States being able, at any future time, to identify them with its confederacy. A war with England, it was conceived, could alone, under any circumstances, wrest them from their adhesion, and her settled power. But this was an adventure that the United States, even in its wildest intendment, dared not risk; in which the chances of success might be considered in some way doubtful. The vast and partly unoccupied territory beyond its present boundary, that extended to the Rocky Mountains, and from thence to the Pacific, known as the Oregon territory, gave to the northern states, in anticipation, all that they might desire of increased territorial extent, and promised sufficient capabilities, in the creation and admission of new states, against every apprehended influence and power of the south.*

England was equally known to possess claims to a large portion of this territory bordering on the Pacific, where the North-west, and Hudson Bay Companies, had already established several perma-

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* "The increasing facilities of intercourse will easily bring the states, of which the formation in that part of our territory," the Oregon, "cannot be long delayed, within the sphere of our federal union."—From the inaugural address of President Polk, March 4, 1845.

nent settlements,—built numerous forts, &c.* Her Government, through some strange misapprehension of the American people, was either considered to have abandoned all claims to territorial acquisition in this remote quarter, had any ever existed, or else to have become so indifferent to the actual possession of this territory, as would induce it to make no very formidable resistance to its occupation by the citizens of the United States, emigrating beyond the Rocky Mountains.

Elated by the success attendant on their union project with Texas, they anticipated no greater difficulties in uniting the entire Oregon territory to the Republic. The scheme was approved of throughout the states; and though that the occupation of this district was at the time a subject of diplomatic

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* These two Companies have since been united under an Act of Parliament, passed for this purpose. A late American traveller, Mr. Farnham, states, that there are now belonging to the Hudson Bay Company, in which the North-west Company is now merged, 18 of these posts or settlements. "*Greenhow,*" on the Oregon territory, published by order of Congress, states the number at 22, of which several are situated on the coast, and sufficiently fortified to resist any attack that might be expected. Fort Vancouver, the principal settlement, is situated near the north bank of the Columbia, at the distance of 82 miles in a direct line from its mouth, and 120 following the course of the stream.—p. 34.

A great many people reside within the fort, principally connected with the Company, and to which a well cultivated farm, of about 3000 acres, is attached. The inhabitants dwell in villages, and are made subject to the authority and control of the Hudson Bay Company. All their settlements are described to be in an admirable condition.

arrangement, and pending negotiation between both Governments, its propriety was vauntingly proclaimed by President Polk, in his inaugural address, as beyond any doubt or contingency arising out of such circumstances; for not only did the territory of right belong to the United States, but that their citizens were at that very time in the act of enforcing such claim by settling therein, under the sanction and protection of the Republic. "Our title to the country of the Oregon," declared this high functionary, "is *clear* and *unquestionable;* and already are our people preparing to perfect that title, by occupying it with their wives and children."

Great Britain, had nevertheless adopted very opposite views, and not only laid claim to a joint occupancy of the country, west of the Rocky Mountains within certain declared latitudes, but intimated her determination to resist to the utmost every aggression of the United States, menacing her rights in this quarter. The ill advised declaration of President Polk, was received by the British Ministry with surprise—by the public, with somewhat of stronger feelings, and that called forth the expression of a decided determination on the part of the British Government to defend these rights at all hazards; Lord Aberdeen, Secretary of State for Foreign Affairs, declaring in the House of Lords, "I hope and fully believe that we shall have the happiness of seeing this important question brought to a satisfactory close, and amicable conclusion. Should it be otherwise, I can only say, that we possess rights, which

in our opinion, are clear and unquestionable, and by the blessing of God, and with your support, those rights we are fully prepared to maintain."

These sentiments were reiterated by Sir Robert Peel in the Commons, who stated, amidst the cheers of both sides of the House, "as the subject has been brought under discussion, and I think not improperly, by the noble Lord," (Lord John Russell,) "I feel it my imperative duty, on the part of Her Majesty's Government, to state, in language the most temperate, but most decided, that we consider we have rights in respect of the territory of Oregon, which are clear and unquestionable; that we trust still to effect an amicable adjustment of these claims, —that we desire to effect that adjustment—but having exhausted every effort to effect that arrangement, if our rights are invaded, we are *resolved*, and are *prepared* to *maintain* them."

We cannot give a more succinct, or yet a more perfect and authoritative exposition of the principal features of this controversy—the embarrassing questions with which it is mixed up—the pretensions of both nations, and from which neither seem disposed to recede, than by recording the statement annexed to the Protocol of the sixth conference held at London, December 16th, 1826, between Messrs. Huskisson and Addington, the British Commissioners, and Mr. Gallatin, the Minister Plenipotentiary of the United States, which states—

The Government of Great Britain, in proposing to renew for another term of years the 3rd Article of the Convention of 1818,

respecting the territory on the north-west coast of America, west of the Rocky Mountains, regrets that it has been found impossible, in the present negotiation, to agree upon a line of boundary, which should separate those parts of that territory which might henceforward be occupied, or settled, by the subjects of Great Britain, from the parts which would remain open to occupancy and settlement by the United States.

To establish such a boundary must be the ultimate object of both countries. With this object in contemplation, and from a persuasion that a part of the difficulties that have hitherto prevented its attainment, is to be attributed to a misconception on the part of the United States, of the claims and views of Great Britain, in regard to the territory in question, the British Plenipotentiaries deem it advisable to bring under the notice of the American Plenipotentiary, a full and explicit exposition of those claims and views.

As preliminary to the discussion, it is highly desirable to mark distinctly the broad difference between the nature of the rights claimed by Great Britain, and those asserted by the United States, in respect to the territory in question.

Over a large portion of that territory, namely from the 42nd degree, to the 49th degree of North latitude, the United States claim full and exclusive sovereignty.

Great Britain claims no exclusive sovereignty over any portion of that territory. Her present claim, not in respect to any part, but the whole, is limited to a right of joint occupancy in common with other states, leaving the right of exclusive dominion in abeyance.

In other words, the pretensions of the United States, tend to the ejection of all other nations, and, amongst the rest, of Great Britain, from all right of settlement in the district claimed by the United States.

The pretensions of Great Britain on the contrary, tend to the mere maintenance of her own rights, in resistance to the exclusive character of the pretensions of the United States.

Having thus stated the nature of the respective claims of the

two parties, the British Plenipotentiary will now examine the grounds on which those claims are founded.

The claims of the United States, are urged upon three grounds—

1st. As resulting from their own proper right.

2ndly. As resulting from a right derived to them from Spain; that power having, by the treaty of Florida, concluded with the United States in 1819, ceded to the latter, all their rights and claims on the western coast of America north of the 42nd degree.

3rdly. As resulting from a right derived to them from France, to whom the United States succeeded by treaty, in possession of the province of Louisiana.

The 1st right, or right proper of the United States, is founded on the alleged discovery of the Columbia River, by Mr. Gray of Boston, who, in 1792, entered that river, and explored it to some distance from its mouth.

To this are added, the first exploration by Lewis and Clarke, of a main branch of the same river, from its source downwards; as also, the alleged priority of settlement by citizens of the United States, of the country in the vicinity of the same river.

The second right, or right derived from Spain, is founded on the alleged prior discovery of the region in dispute by Spanish navigators, of whom the chief were, 1st, Cabrilla, who in 1543, visited that coast so far as 44 degrees north latitude; 2nd, De Fuca, who, as it is affirmed, in 1598, entered the Straits known by his name, in latitude 49 degrees; 3rd, Guelli, who in 1582, is said to have pushed his researches as high as 57 degrees, north latitude; 4th, Perez, and others, who between the years 1774 and 1792, visited Nootka Sound, and the adjacent coasts.

The third right, derived from the cession of Louisiana, to the United States, is founded on the assumption, that that province, its boundaries never having been exactly defined longitudinally, may fairly be asserted to extend westward across the Rocky mountains to the shores of the Pacific.

Before the merits of these respective claims are considered,

it is necessary to observe, that one only act of the three can be valid.

They are, in fact, claims obviously incompatible, the one with the other. If for example, the title of Spain by first discovery, or the title of France, as the original possessor of Louisiana, be valid, then must one or other of those kingdoms have been the lawful possessor of that territory, at the moment that the United States claim to have discovered it. If, on the other hand, the Americans were the first discoverers, there is necessarily an end of the Spanish claim; and if priority of discovery constitutes the title, that of France falls equally to the ground.

Upon the question, how far prior discovery constitutes a legal claim to sovereignty, the law of nations is somewhat vague and undefined. It is, however, admitted by the most approved writers, that mere accidental discovery, unattended by exploration—by formally taking possession in the name of the discoverer's Sovereign—by occupation and settlement more or less permanent—by purchase of the territory, or receiving the sovereignty from the natives, constituting the lowest degree of title; and that it is only in proportion as first discovery is followed by any, or all of these acts, that such title is strengthened and confirmed.

The rights conferred by discovery, therefore, must be discussed on their own merits.

But before the British Plenipotentiaries proceed to compare the relative claims of Great Britain and the United States, in this respect, it will be advisable to dispose of the two other grounds of right put forward by the United States.

The second ground of claim, advanced by the United States, is the cession made by Spain to the United States, by the treaty of Florida, in 1819.

If the conflicting claims of Great Britain and Spain, in respect of all that part of the coast of North America, had not been finally adjusted by the convention of Nootka, in the year 1790, and if all the arguments and pretensions, whether resting on priority of discovery, or derived from any other consideration, had not been definitively set at rest by the signature of that

convention, nothing would be more easy than to demonstrate, that the claims of Great Britain to that country, as opposed to those of Spain, were so far from visionary or arbitrarily assumed, that they established more than a parity of title to the possession of the country in question, either as against Spain, or any other nation.

Whatever that title may have been, however, either on the part of Great Britain, or on the part of Spain, prior to the convention of 1790, it was from thenceforth, no longer to be traced in vague narratives of discoveries, several of them admitted to be apocryphal, but in the text and stipulations of that convention itself.

By that convention it was agreed, that all parts of the north-western coasts of America not already occupied at that time by either of the contracting parties, should thenceforward be equally open to the subjects of both, for all purposes of commerce and settlement; the sovereignty remaining in abeyance.

In this stipulation, as it has been already stated, all tracts of country claimed by Spain, and Great Britain, or accruing to either in whatsoever manner, were included.

The rights of Spain on the coast were, by the treaty of Florida in 1819, conveyed by Spain to the United States. With those rights, the United States necessarily succeeded to the limitations by which they were defined, and the obligations under which they were to be exercised. From these obligations and limitations as contracted towards Great Britain, Great Britain cannot be expected, gratuitously, to release those countries, merely because the rights of the party originally bound, have been transferred to a third power.

The third ground of claim of the United States, rests on the right supposed to have been derived from the cession to them, of Louisiana by France.

In arguing this branch of the question, it will not be necessary to examine in detail the very dubious point of the assumed extent of that province, since by the treaty between France and Spain in 1763, the whole of the territory defined or undefined, real or ideal, was ceded by France to Spain, and consequently

belonged to Spain, not only in 1790, when the convention of Nootka was signed between Great Britain and Spain, but also, subsequently in 1792, the period of Gray's discovery of the mouth of the Columbia. If then, Louisiana embraced the country west of the Rocky Mountains, to the south of the 49th parallel of latitude, it must have embraced the Columbia itself, which that parallel intersects, and consequently, Gray's discovery must have been made in a country, avowedly already appropriated to Spain; and, if so appropriated, necessarily included, with all other Spanish possessions and claims in that quarter, in the stipulations of the Nootka convention.

Even if it could be shewn, therefore, that the district west of the Rocky Mountains, was within the boundaries of Louisiana, that circumstance would in no way assist the claim of the United States.

It may, nevertheless, be worth while to expose, in a few words, the futility of the attempt to include that district within these boundaries.

For this purpose it is only necessary to refer to the original grant of Louisiana made to De Crozat, by Louis XIV, shortly after its discovery by La Salle. That province is therein expressly described as—"the country drained by the waters entering, directly or indirectly, into the Mississippi." Now, unless it can be shewn, that any of the tributaries of the Mississippi cross the Rocky Mountains from west to east, it is difficult to conceive, how any part of Louisiana can be found to the west of that ridge.

There remains to be considered the first ground of claim advanced by the United States to the territory in question, namely, that founded on their own proper right, as first discoverers, or occupiers of that territory.

If the discovery of the territory in question, or rather the mere entrance into the mouth of the Columbia by a private American citizen, be, as the United States assert, (although Great Britain is far from admitting the correctness of the assertion,) a valid ground of national and exclusive claim, to all the country

situated between the 42d, and 49th parallels of latitude, then must any preceding discovery of the same country, by an individual of any other nation, invest such nation with a more valid, because a prior claim to that country.

Now, to set aside, for the present, Drake, Cook, and Vancouver, who all of them either took possession of, or touched at, various points of the coast in question, Great Britain can shew that in 1788—that is, four years before Gray entered the mouth of the Columbia river—Mr. Meares, a lieutenant in the Royal Navy, who had been sent by the East India Company, on a trading expedition to the north-west coast of America, had already minutely explored that coast, from the 49th degree to the 45th degree north latitude; had taken formal possession of the Straits of De Fuca, in the name of his sovereign; had purchased land, trafficked and formed treaties with the natives, and had *actually* entered the bay of the Columbia, to the northern headland of which he gave the name of Cape Disappointment—a name which it bears to this day.

Dixon, Scott, Duncan, Strange, and other private British traders, had also visited these shores and countries several years before Gray; but the single example of Meares suffices to quash Gray's claim to prior discovery. To the other navigators above mentioned, therefore, it is unnecessary to refer more particularly.

It may be worth while however to observe, with regard to Meares, that an account of his voyages was published in London in August, 1790; that is, two years before Gray is even pretended to have entered the Columbia.

In that account are appended, first, extracts from his log-book; secondly, maps of the coasts and harbours which he visited, in which every part of the coast in question, *including the Bay* of the Columbia (*into which the log expressly states that Meares had entered*), is minutely laid down, its delineations tallying in almost every particular with Vancouver's subsequent survey, and with the description found in all the best maps of that part of the world, adopted at this moment; thirdly, the account in

question actually contains an engraving, dated in August, 1790, of the entrance of De Fuca's Straits, executed after a design taken in June, 1788, by Meares himself.

With these physical evidences of authenticity, it is as needless to contend for, as it is impossible to controvert the truth of Meares' statement.

It was only on 17th September, 1792, that the Washington, commanded by Mr. Gray, first made her appearance at Nootka.

If, therefore, any claim in these countries, as between Great Britain and the United States, is to be deemed from priority of discovery, the above exposition of dates and facts suffice to establish that claim in favour of Great Britain, on a basis too firm to be shaken.

It must indeed be admitted, that Mr. Gray, finding himself in the bay formed by the discharge of the waters of the Columbia into the Pacific, was the first to ascertain that this bay formed the outlet of a great river—a discovery, that had escaped Lieutenant Meares, when, in 1788, four years before, he entered the same bay.*

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* The history given by Washington Irving of Gray's pretended discovery is as follows:—

"Among the American ships which traded along the north-west coast in 1791 was the Columbia, Captain Gray, of Boston. In the course of her voyage she discovered the mouth of a large river in latitude 46° 19′ north. Entering it with some difficulty, on account of sand-bars and breakers, she came to an anchor in a spacious bay. Captain Gray did not ascend the river further than the bay in question, which still bears his name. After putting to sea, he fell in with the celebrated discoverer Vancouver, furnishing him with a chart which he had made of the river. Vancouver visited the river, and his lieutenant, Broughton, explored it by the aid of Captain Gray's chart, ascending it upwards of 100 miles, until in view of a snowy mountain, to which he gave the name of Mount Hood, which it still retains. The existence of this river was known long before the visits of

But can it be seriously urged, that this single step in the progress of discovery, not only supersedes the prior discoveries both of the bay and the coast, by Lieutenant Meares, but equally absorbs the subsequent exploration of the river by Captain Vancouver, for near 100 miles above the point to which Mr. Gray's ship had proceeded, the formal taking possession of it in the name of his sovereign, and also all the other discoveries, explorations, and temporary possession and occupation of the ports and harbours, on that coast, as well as of the Pacific, as within the Straits of De Fuca, up to the 49th parallel of latitude?

This pretension, however, extraordinary as it is, does not embrace the whole of the claim which the United States build upon the limited discovery of Mr. Gray, namely, that the bay, of which Cape Disappointment is the northernmost headland, is in fact, the embouchure of a river. That mere ascertainment, it is asserted, confers on the United States a title in exclusive sovereignty to the whole extent of country drained by such river, and by all its tributary streams.

In support of this very extraordinary pretension, the United States allege, the precedents of grants and charters accorded in former times, to companies and individuals by various European sovereigns, over several parts of the American continent. Among other instances are adduced the charters granted by Elizabeth, James I., Charles II., and George II., to sundry British subjects and associations, as also the grants made by Louis XIV. to De Crozat over the tract of country watered by the Mississippi and its tributaries

But can such charters be considered an acknowledged part of the law of nations? Were they anything more, in fact, than a cession to the grantee or grantees of whatever rights the grantor might suppose himself to possess, to the exclusion of other sub-

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Gray and Vancouver, but the information respecting it was vague and indefinite, being gathered from the reports of Indians. It was spoken of by travellers as the Oregon, and as the great river of the west."

jects of the same sovereign?—charters, binding and restraining those only who were within the jurisdiction of the grantor, and of no force or validity against the subjects of other states, until recognised by treaty, and thereby becoming a part of the international law.

Had the United States thought proper to issue in 1790, by virtue of their national authority, a charter granting to Mr. Gray the whole extent of country watered, directly or indirectly by the river Columbia, such a charter, no doubt, would have been valid in Mr. Gray's favour, as against all other citizens of the United States. But can it be supposed, that it would have been acquiesced in by either of the powers, Great Britain and Spain, which in the same year were preparing to contest by arms, the possession of the very country which would have been the subject of such a grant?

If the right of sovereignty over the territory in question accrues to the United States by Mr. Gray's discovery, how happens it, that they never protested against the violence done to that right by the two powers, who, by the convention of 1790, regulated their respective rights, in and over a district so belonging, as it is now asserted, to the United States?

This claim of the United States, to the territory drained by the Columbia and its tributary streams, on the ground of one of their citizens having been the first to discover the entrance to that river, has been here so far entered into, not because it is considered to be necessarily entitled to notice, since the whole country watered by the Columbia falls within the provisions of the convention of 1790, but because the doctrine above alluded to has been put forward so broadly, and with such confidence by the United States, that Great Britain considered it equally due to herself, and to other powers, to enter her protest against it.

The United States further pretend that their claim to the country in question, is strengthened and confirmed by the discovery of the sources of the Columbia, and by the exploration of its course to the sea, by Lewis and Clarke, in 1805-6.

In reply to this allegation, Great Britain affirms, and can distinctly prove, that if not before, at least in the same and

subsequent years, her North-west trading Company had, by means of their agent, Mr. Thompson, already established their posts among the Flathead, and Kootanie tribes on the head waters of the northern or main branch of the Columbia, and were gradually extending them down the principal stream of that river; thus giving to Great Britain in this particular, again, as in the discovery of the mouth of the river, a title to parity at least, if not priority, of discovery, as opposed to the United States. It was from those posts, that having heard of the American establishment forming in 1811, at the mouth of the river, Mr. Thompson hastened thither, descending the river, to ascertain the nature of that establishment.

Some stress having been laid by the United States, on the restitution to them of Fort George by the British, after the termination of the last war, which restitution they represent as conveying a virtual acknowledgment by Great Britain of the title of the United States to the country in which the post was situated,—it is desirable to state somewhat in detail, the circumstances attending that restitution.

In the year 1815, a demand for the restoration of Fort George was first made to Great Britain by the American government on the plea, that the first article of the treaty of Ghent stipulated the restitution to the United States, of all posts and places whatsoever taken from them by the British during the war, in which description, Fort George (Astoria) was included.

For some time the British government demurred to comply with the demand of the United States, because they entertained doubts how far it could be entertained by the construction of the treaty.

In the first place, the trading post called Fort Astoria, (or Fort George,) was not a national possession; in the second place it was not a military post; and thirdly, it was never captured by the British from the Americans.

It was, in fact, conveyed in regular commercial transfer, and accompanied by a regular bill of sale, for a sum of money, to the British company, who purchased it, by the American company, who sold it *of their own free will.*

It is true, that a British sloop of war had, about that time, been sent to take possession of that post, but she arrived subsequently to the transaction above mentioned between the two companies, and found the British company *already* in *occupation* of *their self-acquired property*.

In consequence, however, of that ship having been sent out with hostile views, although those views were not carried into effect, and in order, that not even the shadow of a reflection might be cast upon the good faith of the British goverment, the latter determined to give the most liberal extension to the terms of the treaty of Ghent, and in 1818, the purchase, which the British company had made in 1813, was restored to the United States.

Particular care, however, was taken, on this occasion, to prevent any misapprehension as to the extent of the concession made by Great Britain.

Viscount Castlereagh, in directing the British minister at Washington, to intimate the intention of the British government to Mr. Adams, then Secretary of State, uses these expressions, in a despatch dated 4th of February, 1818 :—

" You will observe, that, while this government is not disposed to contend with the American government the point of possession, as it stood in the Columbia river at the moment of the rupture, they are not prepared to *admit* the *validity of the title of the government of the United States to this settlement.*

" In signifying, therefore, to Mr. Adams, the full acquiescence of your government in the reoccupation of the *limited position* which the United States held in that river at the breaking out of the war, you will, at the same time, assert in suitable terms the claims of Great Britain to that territory, upon which the American settlement must be considered as an encroachment."

This instruction, was executed verbally by the person to whom it was addressed.

The following is a transcript of the act, by which the fort was delivered up by the British, into the hands of Mr. Prevost, the American agent :—

" In obedience to the commands of H.R. H. the Prince Regent,

signified in a despatch from the Right Honourable the Earl Bathurst, addressed to the partners, or agents, of the North-west Company, bearing date 27th January, 1818, and in obedience to the subsequent order, dated 26th July, from W. H. Sheriff, Esq. Captain of His Majesty's Ship Andromache, we, the undersigned, do in conformity to the first Article of the treaty of Ghent, restore to the Government of the United States, through its agent, J. B. Prevost, Esq. the settlement of Fort George, on the Columbia River.

"Given under our hands, in triplicate, at Fort George, (Columbia River,) this 6th day of October, 1818.

"F Hickey, Captain H. M. Ship Blossom.

"J. Keith, of the N. W. Company."

The following is the despatch from Earl Bathurst to the partners of the North-west Company, referred to in the above Act of Cession:—

"Downing Street, 27th January, 1818.

"Intelligence having been received, that the United States sloop of war, "Ontario," had been sent by the American Government to establish a settlement on the Columbia River, which was held by that state, on the breaking out of the last war, I am to acquaint you that it is the Prince Regent's pleasure (*without, however, admitting the right of that Government to the possession in question,*) that in pursuance of the 1st Article of the Treaty of Ghent, due facility should be given to the re-occupation of the said settlement by the officers of the United States; and I am to desire that you would contribute, as much as lies in your power, to the execution of His Royal Highness's commands.

"I have, &c. &c.

"Bathurst.

"To the Partners or Agents
of the North-west Company,
residing on the Columbia River."

The above documents put the restoration of Fort Astoria into so clear a light as to require no further observation.

The case, then, of Great Britain, in respect of the country west of the Rocky Mountains, is shortly this:—

Admitting that the United States have acquired all the rights which Spain possessed up to the treaty of Florida, in right of Louisiana, Great Britain maintains that the nature and extent of those rights, as well as the rights of Great Britain, are fixed and defined by the convention of Nootka; that these rights are equal for both parties; and that in succeeding to the rights of Spain, under that convention, the United States must also have succeeded to the obligations which it imposed.

Admitting further, the discovery of Mr. Gray to the extent already stated, Great Britain, taking the whole line of the coast in question, with its straits, harbours, and bays, has stronger claims, on the ground of prior discovery, attendant with acts of occupancy and settlement, than the United States.

Whether, therefore, the United States rest their claims upon the title of Spain, or upon that of prior discovery, or upon both, Great Britain is entitled to base her claims, at least upon a parity with those of the United States.

It is a fact admitted by the United States, that with the exception of the Columbia River, there is no river which opens far into the interior on the whole western coast of the Pacific Ocean.*

In the interior of the territory in question, the subjects of

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* The river "Columbia" forms the most important geographical feature of the country.

The great trunk of the Columbia, which enters the Pacific in 46 degrees 15 minutes, is formed at the distance of 300 miles from the ocean by the union of two streams: one from the south-east, called the *Sahaptui*, or Sunk River; and the other, usually considered as the main river, from the north-east. These two great confluents collect together all the waters flowing from the western side of the Rocky Mountains, between 42 and 45 degrees latitude.

The mouth of the Columbia, is the only harbour for ships on the whole coast, between the Bay of San Francisco and the Strait of Fuca; a distance equal to that from the mouth of the Chesapeake Bay to the St. Lawrence, or from the Straits of Gibraltar to the Straits of Dover; and during the greater part of the year it is difficult and dangerous, and often impossible for any vessel

Great Britain have had for many years numerous settlements and trading posts,—several of these trading posts on the tributary streams of the Columbia, several on the Columbia itself, some to the northward, and others to the southward of that river; and they navigate the Columbia as the sole channel for the conveyance of their produce to the British stations nearest the sea, and for the shipment of it from thence to Great Britain. It is also by the Columbia, and its tributary streams, that these posts and settlements receive their annual supplies from Great Britain.

In the whole of the territory in question, the citizens of the United States have not a single settlement or trading post. They do not use that river either for the purpose of transmitting or receiving any produce of their own, to or from other parts of the world.

In this state of the relative rights of the two countries, and of the relative exercise of those rights, the United States claim the exclusive possession of both banks of the Columbia, and consequently, that of the river itself; offering, it is true, to concede to British subjects a conditional participation in that navigation, but subject in any case, to the exclusive jurisdiction and sovereignty of the United States.

Great Britain, on her part, offers to make the river the boundary; each country retaining the bank of the river contiguous to its own territories, and the navigation of it remaining for ever free and upon a footing of perfect equality to both nations.

To carry into effect this proposal, on our part, Great Britain would have to give up posts and settlements south of the Columbia. On the part of the United States, there could be no reciprocal withdrawing from actual occupation, as there is not, and never has been, a single American citizen north of the Columbia.

The United States decline to accede to this proposal, even when Great Britain has added to it the further offer of a most excellent harbour, and an extensive tract of country on the

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either to enter or quit the river, on account of the intricacy and variability of the channel, and the violence of the breakers, produced by the collision of the river floods with the ocean billows."

Greenhow, on the Oregon territory, p. 21.

straits of De Fuca—a sacrifice, tendered inthe spirit of accommodation, and for the sake of a final adjustment of all differences, but which, having been made in this spirit, is not to be considered in any degree recognising a claim on the part of the United States, or at all impairing the existing right of Great Britain, over the post and territory in question.

Such being the result of the recent negotiation, it only remains for Great Britain to maintain and uphold the qualified rights which she now possesses over the whole of the territory in question. These rights are recorded and defined in the convention of Nootka: they embrace the right to navigate the waters of those countries, the right to settle in and over any part of them, and the right freely to trade with the inhabitants and occupiers of the same.

These rights have been peaceably exercised ever since the date of that convention; that is for a period of 40 years, under that convention valuable British interests have grown up in those countries. It is fully admitted, that the United States possess the same rights, though they have been exercised by them only in a single instance, and have not since the year 1813 been exercised at all, but beyond these rights they possess none.

To the interests and establishments which British industry and enterprise have created, Great Britain owes protection, that protection will be given, both as regards settlement and freedom of trade and navigation, with every intention not to infringe the coördinate rights of the United States, it being the earnest desire of the British Government, so long as the joint company continues, to regulate its own obligations by the same rule which governs the obligations of any other occupying party.

Fully sensible, at the same time, of the desirableness of a more definite settlement, as between Great Britain and the United States, the British Government will be ready at any time to terminate the present state of joint occupancy, by an agreement of delimitation; but such arrangement only can be admitted as shall not derogate from the rights of Great Britain, as acknowledged by treaty, nor prejudice the advantages, which British subjects, under the same sanction, now enjoy in that part of the world."

Such were the claims of Great Britain and the United States respectively in 1826—such, their pretensions at the present day.

In the first conference of the Commissioners in 1826, Messrs. Huskisson and Addington declared, that their Government was still ready to abide by the proposition made to Mr. Rush on behalf of the United States in 1824 for a line of separation between the territories of the two nations, drawn from the Rocky Mountains along the 49th parallel of latitude to the north-easternmost branch of the Columbia, and thence down the river to the sea; giving to Great Britain all the territories north, and to the United States, all south of that line. Mr. Gallatin in reply, agreeable to the instructions of his government, repeated the offer made by him and Mr. Rush in 1818 for the adoption of the 49th parallel, as the line of separation from the Rocky Mountains to the Pacific, with the additional provisions, that if the said line should cross any of the branches of the Columbia at points from which they are navigable by boats to the main steam, the navigation of such branches and main stream should be perpetually free and common to the people of both nations. The British Commissioners refused to accede to this, or any other plan of partition which should deprive them of the northern bank of the Columbia, and the right of navigating that river to the sea. But the American government being equally determined not to give up their title to any part of the country south of the 49th parallel, all expectation of

effecting a definitive disposition of the claims were abandoned.

Finally, on the 6th of August 1827, a convention was signed by the Plenipotentiaries to the effect that the provisions of the third article of the convention of October 20th 1818—rendering all the territories claimed by Great Britain or the United States west of the Rocky Mountains, free and open to the citizens and subjects of both nations for ten years—should be further extended for an indefinite period, either party being, however, at liberty to annul and abrogate the agreement, on giving a year's notice of its intention to the other.*

The position in which the question now stands, is not only of the unsatisfactory character in which it was at the time of the signing of this convention, but we apprehend, in a somewhat more embarrassing and difficult condition, from the variety of interests that have since grown up, unprotected, and unsustained by any positive law, or declared form of government, beyond the mere factory rules of the trading company, to which Great Britain, acting on a very questionable policy, had given an exclusive charter, and under which this settlement had been left exposed to the present period.

If the claims put forward by Great Britain to a joint occupancy and settlement with the United States, are only those to which she may pretend, all her former and succeeding governments have been strangely remiss in their continued neglect and abandonment of British interests in not adopting

* Greenhow on the Oregon, pp. 346—7—54.

some more decided action, and for not long since defining the limits, not merely of boundary, but of jurisdiction; and that would enable the distant settler to assure him of the protection of her laws, or of some law of general applicability and meaning, under which he might rest secure, instead of leaving a question of this paramount consideration undetermined to a very recent period.*

We can scarcely believe, that opportunities have not on more than one occasion presented themselves of effecting this consequence, even in despite of the cavil or objection of the United States. Why was it not done in 1814, when America would gladly have paid a much higher consideration, as the purchase-price of her peace with England?

The statement annexed to the Protocol of the British Commissioners, which we have quoted *in extenso*, lays claim, on the part of Great Britain, to no exclusive sovereignty over any portion of this territory; her claim, not in respect of any part, but of the whole, being limited to a right of joint occupancy, in common with other states, leaving the right of exclusive dominion in abeyance.

Great Britain has advanced no new pretensions since then, but has continued to restrict her demand to this joint occupation and right of settlement (in common with the United States, deriving under the Florida Treaty with Spain in 1819), and that she claims such right from the terms of the Treaty of

* The jurisdiction of the British Courts of Justice of Canada have been lately extended to all our settlements on the Columbia river.

Nootka, otherwise known as the "Convention of the Escurial," which was concluded with Spain in 1790, and by which it was agreed, in the words forming the *fifth* article, that "All such places shall be restored to the British, to the north part of the said coast already occupied by Spain, wherever the subjects of the two powers shall have made settlements, since the month of September, 1789, or hereafter, they shall have free access to carry on trade, without any disturbance or molestation."* By which it was clearly meant, that all parts of the north-west coast of America, not already occupied at that time by either of the contracting parties, should from thenceforth be equally open to the subjects of both, for all purposes of commercial settlement, the exclusive sovereignty remaining in abeyance, and in which stipulation, all tracts of country claimed by Spain and Great Britain, or accruing to either, in whatsoever manner, were included.

This treaty, nevertheless, was, at the time, made the subject of serious charge and animadversion in the British Parliament, as restricting the British right of settlement within this territory; and the other and great inconvenience that could scarcely fail to result, especially from the *fifth* clause; and from which it was contended, that a British settlement "was liable to interruption and invasion every moment, at the caprice or interest of an adverse party;" on which occasion the late Earl Grey (then Mr. Grey) appropriately remarked, "In every place

* From Hertzlet's *Commercial Treaties*.

in which we might settle, access was left for the Spaniards.* Where we may form a settlement on one hill, they may erect a fort on another. A British merchant must run all the risk of discovery, and all the expense of establishment, for a property that was liable to be the subject of continual dispute, and which could never be placed on a permanent or stable footing."

We are assured, on the testimony of recent travellers, that several parties of Americans have lately emigrated to this territory, numbering upwards of 1000, in the years 1842 and '43, who, possessing a concurrent and joint right of settlement with the subjects of Great Britain, are "independent of all authority and jurisdiction," and are exposed to the want of any proper or protecting form of government subsisting amongst them.†

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* Should the reader substitute *Americans* for "*Spaniards*," the present condition of the Oregon may be accurately gathered from these observations.

† The civilised inhabitants of Oregon are, as shewn in the general view, all either citizens of the United States, or servants of the Hudson Bay Company. The latter body enjoying, by special grants, the use, exclusive of all other British subjects, of all the territories claimed by Great Britain west of the Rocky Mountains, and exercising jurisdiction, in virtue of an Act of Parliament, over all British subjects in those territories; while the citizens of the United States are, as yet, independent of all authority or jurisdiction whatsoever. The Hudson Bay Company, until very recently, were devoted entirely to the collection of furs: but within a few years many farms have been laid out and worked, and large quantities of timber have been cut, and sawed, and exported to the Sandwich Islands, and to Mexico, for the benefit of the Company. The settlements of the Ameri-

If that the United States restricted its pretensions to a mere joint occupation and settlement with Great Britain, we could readily account for the anxiety manifested by President Polk in his late address, to "extend the jurisdiction of American laws, and benefit of republican institutions to the citizens of the United States residing in these remote regions;" for even these, and as they are administered within the more immediate jurisdiction of his government, are preferable to no laws at all; nor do we conceive that Great Britain would have any just or reasonable ground of complaint in the United States conferring these advantages on its own citizens, who may have settled within this territory. But the further observations of the American President would lead to a very opposite inference; and that instead of confining the United States' pretensions to a joint occupancy and settlement with Great Britain, its Government claim an entire and exclusive jurisdiction over this district; no longer restricting their demands within their former limits, but now extending them, from the 42nd to the 54th degree of north latitude, instead of the 49th, as heretefore.

To this unwarranted assumption, Great Britain

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cans are all agricultural, and on a very small scale. More than 1000 emigrants have gone to that country from the United States during the years 1842 and 43, of whose movements and establishments no exact accounts have been as yet received.—*Greenhow* on the Oregon, p. 33.

has already declared, she never can accede. Either America must abandon these visionary and extravagant pretensions, or else, enforce their admission by some other means than mere braggadocio, or the tortuous effort of diplomatic cunning and misrepresentation.

In whatever light we may feel disposed to regard this question, we must necessarily consider it, as one of the utmost importance, menacing as it does, the amicable relations at present subsisting between both countries. It is one, from among the many questions of international concern that have already occupied the consideration of both Governments, peculiarly fitted for compromise and mutual concession, and which every well-wisher of the prosperity of both nations, cannot but hope may be its ultimate decision.

The political boundaries of Oregon have never yet been determined by common consent of the parties claiming to possess it. In the United States they are considered as embracing the whole of America, west of the Rocky Mountains, from 42nd parallel of latitude to that of 54 degrees 40 minutes. Some geographers have, however, regarded as Oregon only, the region actually traversed and drained by the Columbia river, for which Oregon is erroneously supposed to have been the aboriginal name; the British Government has always insisted on a still farther contraction of its limits. The country between the Pacific coast and the westernmost chain of mountains, consists of ranges of low mountains,

separated by narrow valleys, generally running parallel with the great chain, and with the coast.

The climate of this region resembles that of California; the summer is warm and dry, and rain seldom falls between April and November, though during the remainder of the year it is violent and almost constant; snow is rarely seen in the valleys, in which the ground continues soft and unfrozen during the winter. The soil in some of these valleys, is said to be excellent for wheat, rye, oats, potatoes, pease, and apples; fifteen bushels of wheat being sometimes yielded by a single acre.

CHAPTER VII.

Course to be adopted by the emigrant on arrival in the United States—Precautions necessary to be observed as to health—Great valley of the Mississippi—Diseases incidental thereto—The caution and prudence necessary to insure a proper investment of capital—Choice of situation in the purchase of land—Various routes to the "far west"—Government lands—Land offices—Title and mode of securing lands—Sold and unsold public lands, 1843—The choice of location—The division and advantageous appropriation of land by the settler—The emigrant farmer—Apple and peach orchards—Distillation and pernicious use of whiskey—Distaste of Americans for agricultural pursuits—General advice to emigrants settling in the "far west."

HAVING, in the second chapter, of the first volume, safely landed the emigrant at New York, we will presume his plan of operations fully matured—his mind in part made up as to his future pursuits, also, as to what section of this vast country he may intend shall be the scene of his future operations. His delay at New York, without that his objects are purely mercantile, should be limited to as few days as possible; so long only, as is necessary to recruit himself from the wearisome voyage he has just ended, and prepare him for the further exertion he is to undergo. The utmost precaution should be observed, especially in the summer months, in reconciling and fitting his constitution to the climate of the country. He will find very considerable benefit to result from a limited course of medicine to reduce the temperature of his

blood, and fit him for the exertion and consequent excitement, incidental to his future proceedings. Flannel worn next the skin is also recommended, as absorbing perspiration, and should be immediately adopted by all new comers, as the best safeguard against those sudden chills, so destructive to human health: but above all, he should guard against, not only the inordinate use of ardent spirits, but that which is equally pernicious to the constitution, the unrestricted use of animal food, which is unsuited to European habits and digestion, but which the American of every class, even to the lowest grade, is accustomed to partake of at all his meals; and which frequently produces an unhealthy state of repletion, exposing the system to frequent attacks of biliary fever, particularly in the summer or hot season, also dispepsia, and a variety of other complaints, incidental to the American climate.*

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* The extreme rapidity with which Americans usually *devour* their food, for it really deserves no other appellation, has been remarked by all travellers and strangers in the states. Yet to this, as well as to many other peculiarities of our American friends, we soon became reconciled, as to a thing of course. The prevailing practice of living at a *Table d'hote*, or at boarding houses, amongst a numerous and mixed society, has probably originated this unbecoming and unhealthy practice. The meals at hotels are always provided in common for the inmates of the establishment —for the out-door, as the in-door boarder and traveller, who by the bye, is frequently most inconveniently obliged to accommodate himself to their hours. There are seldom less than from eighty to one hundred in any respectable hotel, or as they are more usually called, "public houses," who sit down together, and who

Most emigrants arrive in the United States in the spring and summer months,—very few, if any, in the winter. Such perhaps is desirable, especially

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are either summoned to meals by the loud beat of an Indian gong, or the ringing of a large bell, when a simultaneous rush usually takes place from the bar or outer room, of some fifty or sixty "hungry customers," and whose appetites have been eagerly and for some time watching the dinner hour. Each, as he arrives, takes his seat, plying himself with a master hand to the work of general demolition going on before him; and that neither time or delicacies should be lost through his improvidence, frequently supplies himself from two or three dishes, or varieties of meat, sometimes of meat and fish together, and at the same moment. We have sometimes been provoked into marking the time usually consumed in this devouring and most edifying occupation. The first of the party generally moved away, still eating as he passed to the door, in from nine to eleven minutes; more than one half, within fifteen, while the remainder were clear off, within twenty, or twenty-five minutes from the time they had first set down. Sometimes, a few foreigners remained behind, still fixed in their seats, and gazing with evident surprise at the waste and desolation that a few short moments had scattered all around. Despatch, is certainly with the American, the very life and soul of business—the economy and careful disposition of his time a source of profit to him, and which first caused us to attribute this extraordinary haste to some unusual demand upon his attention—some very pressing business awaiting his arrival at his office or counting house. But no such thing; for on afterwards passing through the bar or outer room, we generally found many of those who had first left the dinner table, indulging in their wonted potations of "gin sling," "mint julaps," "egg nog," or "brandy smashers," or some of the variety of "cock-tails," in which ardent spirit is compounded and mixed up to suit their peculiar tastes; or else lolling upon one chair, with their feet either extended upon the top rail of another, or upon some table, indulging in the more modern and refined luxury

for all out-door class of artizans, tradesmen and labourers; as in the middle and northern states, the winters are unusually long and very s. ere,—firing and lodging dear, and employment not quite so plenty. The heat of summer is nevertheless most oppressive, and frequently dangerous in its influence on the European constitution. Its effects should be cautiously guarded against, by eschewing as far as practicable, all exciting occupations, and adhering to the few simple rules, already laid down. The use of cold water, when heated after exercise or exposure to the sun, should be carefully avoided, as severe pains in the stomach, loins, &c., and frequently death is the result of this imprudence, whilst exposure to the night air, above every other excess should be always guarded against, as very many of the complaints incidental to the climate are engendered by this improvidence.* With these brief remarks, we shall

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of a cigar, their thoughts for the while absorbed in peaceful and happy forgetfulness of the cares and troubles of this life, and seemingly unconscious of all else passing around. Habit has done much in reconciling the American to this mode of "using up" his food, so injurious to his general health and constitution, and so very repugnant to the antiquated notions—the staid observances of every European.

* Doctor Drake in his advice to emigrants, recommends, "Those who migrate from a colder climate to the southern Mississippi states, should observe the following directions: 1st, To arrive there in autumn instead of spring or summer. 2nd, If practicable to spend the hottest parts of the first two or three years in a higher latitude. 3rd, To select the healthiest situations. 4th, To live temperately. 5th, To preserve a regular habit. Lastly, to

now endeavour to range under separate heads, whatever of further instruction we mean to offer.

1st. To the emigrant who may select agricultural pursuits, or the purchase of land, as the best means of promoting his future advancement.

2nd. To the merchant, or trader, who may seek America under an impression of meeting in the United States, a more extended field for enterprise, and a surer market wherein to embark his industry and remaining capital.

3rd. To the artizan and working mechanic, who dissatisfied with the support that he is enabled to secure in England, turns to America to aid him in his future exertions ; and lastly,

To the labouring and working man, who elated with the assurance of independence, expects to find wherewithal in the new world, to compensate him for the change he may be induced to make in leaving the old.

Modern writers on the internal geographical features of America, have divided the country into three distinct divisions, known as the Atlantic slope, —the Mississippi basin or valley,—and the Pacific slope. This valley is supposed to include about two-thirds of the territory of the United States.

The Atlantic slope contains about 390,000, the Pacific slope about 300,000 ; which, combined,

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avoid the heat of the sun, from ten in the morning, till four in the afternoon, and above all, the *night air*. By a strict attendance to these rules, many would escape the diseases of the climate who usually sink under its baneful influence."

are 690,000 square miles: while the valley of the Mississippi contains, at least, 1,300,000 square miles, or 833,000,000 acres.

This valley extends from 29° to the 49° of north latitude, or about 1,400 miles from north to south; and from 3° to 35° of longitude west from Washington, or about 1470 miles from east to west. From the source of the Alleghany river to the source of the Missouri, following the meanderings of the streams, is not less than 5000 miles.

The states and territories included, are a small section of New York, watered by the heads of the Alleghany river, western Pennsylvania, western Virginia, Ohio, Indiana, Illinois, Missouri, Michigan Kentucky, Tennessee, Mississippi, Louisiana, Arkansas, Indian Territory, the vast unsettled regions lying to the west and north of this territory, Wisconsin, including an extensive country west of the Mississippi, and north of the state of Missouri, with the vast regions that lie towards the heads of the Mississippi, and around lake Superior.

Probably, there is no portion of the globe of equal extent, that contains as much of soil fit for cultivation, and which is capable of sustaining and supplying with all the necessaries and conveniences, and most of the luxuries of life, so dense a population as this great valley. Deducting one third of its surface, for water and desert, which is a very liberal allowance, and there remains 366,667 square miles, or 554,666,880 acres of arable land.

The physical features of this valley are peculiar.

1. It includes two great inclined planes, one on its eastern, and the other on its western border, terminating with the Mississippi.

2. This river receives all the waters produced on these slopes, which are discharged by its mouths into the Gulf of Mexico.

3. Every part of this vast country can be penetrated by steam-boats, or other water craft; nor is there a spot in all this wide region, excepting a small district in the vast plains of upper Missouri, that is more than one hundred miles from some navigable water.

A boat may take in its lading on the banks of the Chatauque lake, in the state of New York; another may receive its cargo in the interior of Virginia; a third may start from the rice lakes at the head of the Mississippi; and a fourth may come laden with the furs from the Chippewan mountains, 2800 miles up the Missouri, and all meet at the mouth of the Ohio, and proceed in company to the ocean.*

The valley of the Mississippi, has been arranged by Darby, into four great subdivisions:

1. The *Ohio Valley*, length, 750 miles, and mean width, 261; containing 196,000 square miles.

2. *Mississippi Valley*, above Ohio, including the minor valley of Illinois, but exclusive of Missouri, 650 miles long, and 277 mean width, and containing 180,000 square miles.

3. *Lower Valley of Mississippi*, including White,

* "Peck's Guide," pp. 6, 17, 19.

Arkansas, and Red river valleys, 1000 miles long, and 200 wide, containing 200,000 square miles.

4. *Missouri Proper,* including Osage, Kansan, Platte rivers, &c., 1200 miles long, and 437 wide, containing 523,000 square miles.

"*The Valley of the Ohio* is better known than any of the others; has much fertile land and much that is sterile, or unfit for cultivation on account of its unevenness. It is divided into two unequal portions by the Ohio river; leaving on the right or north-west side, 80,000, and on the left or south-east side 116,000 square miles. The eastern part of the valley is hilly and rapidly acclivitous towards the Appalachian Mountains. Indeed, its high hills as you approach these mountains, are of a strongly marked mountainous character. Of course, the rivers, which flow into the Ohio, the Monongahela, Kenawha, Licking, Sandy, Kentucky, Green, Cumberland, and Tennessee, are rapid, and abounding in cataracts and falls, which towards their sources, greatly impede navigation. The western side of this valley is also hilly, for a considerable distance from the Ohio, but towards its western limit, it subsides to a remarkably level region; so that whilst the eastern line of this valley lies along the high table land, on which the Appalachian mountains rest, and where the rivers of the eastern section of this valley rise, (which is at least 2000 miles, generally above the level of the sea) the western line has not an elevation of much more than half that amount on the north, and which greatly subsides towards the Kas-

kaskia. The rivers of the western section are Beaver, Muskingum, Hockhocking, Scioto, Miama, and Wabash. Along the Ohio on each side are high hills often intersected with deep ravines, and sometimes openings of considerable extent, and well known by the appellation of 'Ohio Hills.' Towards the mouth of the Ohio, these hills almost wholly disappear, and extensive level bottoms, covered with heavy forests of oak, sycamore, elm, poplar, and cottonwood, stretch along each side of the river. On the lower section of the river, the water, at the time of the spring floods, often overflows these bottoms to a great extent. This fine valley embraces considerably more than one half of the whole population of the entire Valley of the West. The western parts of Pennsylvania and Virginia, the entire states of Ohio, Indiana, and Kentucky, the larger part of Tennessee, and a smaller part of Illinois, are in the valley of the Ohio.

"*The Upper Valley of the Mississippi*, possesses a surface far less diversified than the valley of the Ohio. The country. where its most northern branches take their rise, is elevated table land, abounding with marshes and lakes, that are filled with a graniferous vegetable, called wild rice. It is a slim, shrivelled grain, of a brownish hue, and gathered by the Indians, in large quantities for food. There are tracts of arable land, covered with elm, linden, pine, hemlock, cherry, maple, birch, and other timber common to a northern climate. From the same plateau flow the numerous branches of Red River

and other streams that flow into Lake Winnepec, and thence into Hudson's Bay. Here, too, are found some of the head branches of the waters of the Saint Lawrence, that enter the Lake of the Woods and Superior. In the whole country of which we are speaking, there is nothing that deserves the name of mountain. Below the falls of Saint Anthony, the river bluffs are often abrupt, wild, and romantic, and at their base and along their streams are thousands of quartz, crystals, cornelians, and other precious stones.

"But a short distance in the rear, you enter upon table land of extensive prairies, with clumps of trees and groves along the streams. Further down, abrupt cliffs and overhanging precipices are frequently seen at the termination of the river alluvion.

"The whole country north-west of the Ohio and east of the Mississippi, as far north as the falls of Saint Anthony, exhibit striking marks of a diluvial formation, by a gradual retiring of the waters. From the summit level that divides the waters of the lakes from those of the Mississippi, through Ohio, Indiana, Illinois, and Wisconsin, which is scarcely a perceptible ridge, to the south point of Illinois, at the junction of the Ohio and Mississippi, appears to have been a plain with an inclination equal to twelve or fifteen inches per mile. The ravines and valleys appear to have been gradually scooped out by the abrasion of the waters.

"The *Lower Mississippi Valley* has a length of

1200 miles, from north-west to south-east, considering the source of the Arkansas and the mouth of the Mississippi river as extreme points; reaching from latitude 29° to 42° north, and without estimating mountains, ridges or peaks, differs in relative elevation at least 500 feet.

"In the *Lower Valley of the Mississippi* there is a great extent of land of the very richest kind. There is also much that is almost always overflown with waters, and is a perpetual swamp. There are extensive prairies in this valley; and towards the Rocky Mountains, on the upper waters of the Arkansas and Red Rivers, there are vast barren steppes, or plains of sand, dreary and barren, like the central steppes of Asia. On the east of Mississippi are extensive regions of the densest forests, which form a striking contrast with the prairies which stretch on the west of that great river.

"The *Valley of Missouri* extends 1200 miles in length, and 437 in width, and embraces 523,000 square miles. The Missouri river rises in the Chippewan Mountains, through eight degrees or nearly 600 miles. The Yellow Stone is its longest branch. The course of the Missouri after leaving the Rocky Mountains, is generally south east until it unites with the Mississippi. The principal branches flow from the south-west. They are the Osage, Kansan, Platte, &c. The three most striking features of this valley are: 1st, The turbid character of its waters. 2d, The very unequal volumes of the right and left confluences. 3d, The immense predominance

of the open prairies over the forests which line the rivers. The western part of this valley rises to an elevation towards the Chippewan mountains, equal to ten degrees of temperature. Ascending from the lower verge of this widely extended plain, wood becomes more and more scarce, until one naked surface spreads on all sides. Even the ridge and chains of the Chippewan partake of these traits of desolation. The traveller, who has read the description of Central Asia by Tooke or Pallas, will feel on the higher branches of the Missouri, a resemblance, at once striking and appalling, and he will acknowledge, if near to the Chippewan Mountains in winter, that the utmost intensity of frost over Siberia and Mongolia has its full counterpart in North America."

We need scarcely repeat in the words of Franklin, that " there is ample room for every body in America." Yet, it is equally true, that very great caution, as well as considerable judgment, is necessary on the part of the emigrant, who may turn his attention either to agriculture or the purchase of land, in making a selection from the vast territory that now lies before him. There is certainly no other mode in which a moderate capital could be invested to greater advantage—no means, amidst the many resources that America presents to its active and enterprising citizens for profitable enterprise. But caution and the utmost prudence is also necessary in the procurement and profitable disposition of such property.

One imprudent step in the outset may plunge the emigrant into endless difficulties, and mar all his prospects of future advantage. He should by no means encourage a too eager anxiety to become fixed in his future location, or trust too implicitly to his former knowledge of land and agricultural pursuits, to guide him in his choice. These, no doubt, will materially assist; yet he should not depend with too much reliance on them, but aid himself with the experience and counsel of others, whom a long continued residence in the country has made familiar with its ways, and whose observations, matured by the experience of past years, together with his own judgment and foresight, will point out the advantages that situation above almost every other consideration, may offer, in making such a purchase, as will ensure him a profitable and quick return. It would be futile to attempt such investment in the eastern and Atlantic States, where an increased population has also increased the demand for land. The immense tract of country to the westward offers at all times to the emigrant a more extended field and and surer market—as also, a richer soil; and by avoiding the low and marshy grounds, a more salubrious and healthful climate. The great tide of emigration is continually flowing in this direction, not only from every part of Europe, but from the Atlantic States of New England, New York, New Jersey, Maryland, Delaware, &c.; where the soil from continued use has in part become exhausted and worn out. The necessities of these settlers

require to be supplied. Large and populous towns have consequently sprung up, even in those remote districts, where the industry of man had never before reached, and where there was no vestige to be traced of previous human habitation. There are still very many places, that from the rapid increase of population, and nature of things, must at no very great distance of time, form the site of towns. A person of any judgment or moderate observation, would readily point them out; if met with, such a purchase, if judiciously managed, would be sure to afford an adequate remuneration.

To the emigrant then, who may intend to apply his industry and resources to this end, no possible advantage is to be derived by continuing to spend his time and money in New York, or in whichever of the Atlantic cities he may have arrived; besides, a residence in a crowded and pent up street of a populous city is seldom so conducive to health or spirits, as the free circulation of fresh air that will greet him in the country; while he can never be at a loss for a cheap public conveyance to the place of his intended destination.

If inclination should first lead him to explore the north-western section of the States, and to examine for himself, he may take advantage of the superior steam-boat conveyance on the Hudson river, presenting frequent daily opportunities for the city of Albany, 154 miles north from New York, as well the intermediate towns, at an exceedingly moderate charge. The trip, which is one of the most grate-

ful and fascinating, is usually performed in from nine to ten hours. Should the emigrant proceed from thence to the north-west, towards Lake Erie, or the state of Michigan, which presents many inducements to the settler, and is the frequent route of the Swiss and German emigrant, he has the advantage of water transport for about 350 miles, by the Erie Canal, or by railroad and canal through to Utica and Syracuse, to Buffalo; and from thence upwards of 600 miles west, to Cleveland* and Sandusky in the state of Ohio; Mackineck, Detroit, Chicago, in the state of Michigan; or should he think proper to turn south from lake Erie, he may take advantage of the Erie canal connecting lake Erie at Cleveland, with the Ohio river at Portsmouth, a distant of 320 miles, and that uniting with the Mississippi, will afford him a continued

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* Cleveland, which is on the direct route from Buffalo to Cincinnati is the principal town of Cuyahoga country in the state of Ohio, at the mouth of the Cuyahoga river on Lake Erie, 54 miles north-west from Warren; 150 miles north-east of Columbus; 60 miles east from Sandusky; 180 miles west from Buffalo; and 130 miles north-west from Pittsburgh. It is a noted point of embarkation, and the northern point of termination of the Ohio and Erie canal (307 miles in length) which connects it with the town of Portsmouth on the east bank of the Scioto river, immediately above its junction with the Ohio. It is the depôt of the vast amount of merchandize destined for the east and western country, and by the last census (1840) has already a population of 6071 inhabitants; it has several churches, a court-house, jail, academy, banks, &c., and may be considered one of the most thriving and rising towns of the Western States.

water conveyance to New Orleans in the Gulf of Mexico. Or should his object lead him more directly north, from the city of Albany, he may select the northern canal, or railroad, that unites the Hudson river with lake Champlain, and which will immediately bring him to the British possessions of Lower Canada. If on the other hand, that his intention when at New York is to emigrate to the south, or south-west, he may with equal facility take advantage of the numerous steam-boats that leave New York daily for Philadelphia, passing through the state of New Jersey until he reaches the Delaware. The distance is 97 miles, and usually travelled in about nine hours. From Philadelphia he has daily opportunities of railway, or canal, to all the western parts of the Republic, besides the advantages of steam-boat conveyance to the city of Baltimore, from where he possesses the same facilities of direct communication, with a somewhat shorter route, to Wheeling, or to Pittsburgh, which is considered the key to central and western America. This latter city, from Philadelphia, through a rich, plentiful, and tolerably well cultivated country, is about 297 miles, and from Baltimore about 230, in a west-north-western direction. A few days' journey will take the emigrant along a passable turnpike road from Baltimore to Cumberland in the state of Maryland, and from thence to Wheeling. The whole distance from Baltimore to Pittsburgh, when the railroad now in progress and nearly completed, is open for public accommodation, will be travelled, accord-

ing to estimate, by horse-power in thirty hours, by steam, in twenty.*

Should the emigrant wish to traverse the northern section of this state, he may ascend the Alleghany river to the upper countries, or follow the current and descend the Ohio to the state of that name,† cross

* City of Pittsburgh and capital of Alleghany country, state of Pennsylvania, according to B. Davenport, is 230 miles W.N.W. from Baltimore; 297, W. by N. from Philadelphia; 335 from Lexington, Kentucky; — 1100, from New Orleans by land, and 2000 by water; and 223, from Washington; lat. 40° 40′ N. long. 80° W. It is situated on a beautiful plain on a broad point of land, where the confluence of the Monongahela and Alleghany forms the Ohio. Population of the city proper in 1833, was 12,540, and of the suburbs, 9983, total 22,433; at present, or according to the census of 1840, the city proper contained 21,115, and with the suburbs, may be estimated at 35,000 inhabitants. The town is compactly, and some streets handsomely built. Its position and advantages, as a manufacturing town, will continue to render it a place of attraction for builders, manufacturers, and capitalists. At the present time the following are manufactured on a great scale:—ironmongery of every description, steam-engines, and enginery and iron-work in general; cutlery of all descriptions; glass and paper, cotton and woollens, pottery, chemicals, tin and copper-ware, are all manufactured and exported to a great extent. Boat and steam-boat building have been pursued here on a greater scale than in any other town in the western country. This city has immense advantages. The Great Pennsylvania Canal, over 500 miles in length, terminates here. Another canal connects it with Lake Erie.

† No river in the world rolls, for a thousand miles, a current so smooth and peaceful. Its eighty tributaries wind through as many valleys, in ten different states. The first in size, the Tennessee, having pursued a navigable course for more than 1000 miles, falls into the Ohio, fifty miles above its mouth. The

it to Indiana, or continue his aquatic journey to Kentucky. He may also, should he think proper, proceed to the great Mississippi river, and by this route to Saint Louis in the state of Missouri, or advance a little further up and ascend the Illinois river, in the newly created state of that name. These are among the many advantages of water conveyance secured from Pittsburgh to all parts of the "Far West," comprising some of the most fertile states and territories in America: it is on this account the route selected by most emigrants from Europe, but principally, by the Dutch and German, who now retain the possession of some of the richest

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Cumberland, sixty-two miles, being navigable for steam-boats to Nashville, and for keel-boats 300 miles further. The Wabash, 130 miles. Green River, 280 miles from the Ohio; navigable 201 miles, and 200 yards wide at its mouth. Kentucky, 504 miles, navigable 150 miles, and as many yards wide at its mouth. Great Miami, 582 miles. Scioto, 742 miles. Great Kanawha, 850 miles, navigable sixty-four miles to the Salines, where annually is made from five to seven hundred thousand bushels of salt. Great Muskingum, 951 miles. These are the principal auxiliaries that give substance and strength to the beautiful Ohio. In its course of 1000 miles it washes six states, and, with its tributaries, has more than 5000 miles of navigable waters. Its main width is 600 yards, with the exception of its lowest fifty miles; where its average width is more than 1000 yards. The average rapidity of its current is from two to three miles per hour. Its average descent in a mile is about six inches. It sometimes rises fifty or more feet. At low water its surface, at Cincinnati, is supposed to be 130 feet below the level of Lake Erie, and 130 above the tide-water of the Atlantic Ocean. Such is the Ohio.—*Bishop Davenport.*

and most productive tracts, west of the Alleghany mountains.

Should the emigrant previously resolve on going to the western country, near to the Alleghany, or Ohio rivers, he will save considerable land travelling, by landing at Baltimore instead of New York. But this becomes a mere matter of choice, whether to increase his sea distance for the purpose of saving two days in his land carriage, with an outlay of about ten dollars for his accommodation, or expenses on the road.

It is a principle that should be strictly inculcated, that no emigrant should ever purchase land, or make arrangements for any permanent settlement, before viewing, and carefully examining the place, where such purchase or settlement is intended to be made. The most that reading can effect in his behalf, is to prepare his mind with somewhat clearer ideas of the means to form a judicious selection, whilst one of the greatest disadvantages with which he has to contend, is perhaps the high-wrought anticipations that have been created in his mind, by the alluring and frequently delusive expectations held out to him by most writers and modern tourists, on the present state of Ameria. He should listen to these details, if not with absolute mistrust, at least, with some degree of caution, and not allow his judgment to be influenced, or his mind led away with a supposition, that he has only to reach the shores of the new world, to become at once wealthy and independent.

It requires at all times much self-denial to reconcile us to a change of residence and home, which so immediately produces a total severance of all former ties and associations, and which the emigrant may be compelled to adopt, before that he can become familiar or satisfied with a course of life, it may be, so very opposite to all his former habits; and when perhaps the only advantage that he may in the end attain, is the questionable and uncertain protection of property and life, and the cheap purchase of land, from which he may secure from judicious and untiring industry, sufficient to support his mere wants, in this remote, and comparative seclusion from the world.

In all his calculations he should bear in mind, that it demands excessive and unremitting toil, with severe economy, as well as exemption from extraordinary accident to succeed in a newly settled country; and with this permanency or continuance of labour, much prudence, and very favourable circumstances to ensure success. He will need the exercise of unusual precaution in forming his judgment, and will always act upon a safe principle, in distrusting the information of persons offering him lands for sale. Inquiries, ought carefully to be instituted respecting the seasons, the climate, diseases, &c; and made as much as possible from persons whose interests are not engaged on the side of a too favourable representation. The apparent indifference with which such inquiries by the emigrant are oftentimes met, would lead him to believe that it

proceeds from a want of attention—a perfect disregard to the subject:—the fact is far otherwise, such carelessness is more frequently assumed, the traveller is thus thrown off his guard—forgets his wonted discretion, and the observance of that due precaution in the presence of those who will immediately scan his object—penetrate his inmost thoughts—and will either recount to their companions the very train of reflection passing in the stranger's mind, or exert their ingenuity in devising means, by which to make it profitable to their own immediate purposes.

It is the privilege of the general Government of the United States (which is invested with the exclusive power) of contracting with the Indians for the sale and purchase of their land. These are purchased by treaty, while private individuals, or separate states are not permitted to have any transactions of this description with the natives or aborigines. This law is rigorously enforced. A general land-office is established at Washington, (the seat of the Federal Government) where all records are kept, and to where all returns are made from the several sub-land offices throughout the Union.*

* Sub-land offices are established at the following places, to which others are added as may be found necessary. The emigrant can never experience much difficulty in ascertaining their particular whereabouts.

State of *Ohio*.—Steubenville, Marietta, Cincinnati, Chillicothe, Zanesville, Wooster, Piqua, Tiffin.

Indiana.—Jeffersonville, Vicennes, Indianopolis, Crawfordsville, Fort Waine.

From the report of Treasury Department made to Congress, 1843, it appears, that

		Acres.
The estimated quantity of land yet to be sold, including the unceded territory south of latitude 49°, amounted to -		1,084,064,993
Deduct reservations - - - - -		7,526,779
Leaving - - - - - -		1,076,538,214
Value, at $1.25 per acre,	$1,345,672,767-59	
Of the above quantity, the Indian title is extinguished to - - - - -		367,947,165
Unextinguished - - - - -		716,117,828
Surveyed - - - - -		272,646,356
Unsurveyed - - - - -		811,418,637
Of the Public Lands there have been sold 107,796,536 acres, bringing - -		$ 170,940,942-42
Paid for Indian title, Florida and Louisiana purchase, including interest -	$ 68,524,991-32	
Paid for surveying and selling, including pay of salaries and fees - -	9,966,610-14	
		78,491,601-46

Illinois.—Kaskaskia, Shawneetown, Edwardsville, Vandalia, Palestine, Springfield.

Michigan.—Detroit, Munro.

Missouri.—St. Louis, Franklin, Cape, Guardian, Lexington, Palmyra.

Arkansas.—Batesville, Little Rock.

Louisiana.—Oniachista, Opelousas, New Orleans, St. Helena.

Mississippi.—Washington, Augustus, Mount Salus.

Alabama.—St. Stephens, Huntsville, Tuscaloosa, Cahawb, Sparta.

Florida.—Talahasse, St. Augustine.

Balance, being the net funds derived from the public lands - - - -	$ 92,449,341-16
	Acres.
In addition to lands sold, there have been granted for internal improvements, education, military services, reservations, &c. - - - - - - -	33,756,559
Of the Public Lands, Virginia, New York, Massachusetts, and Connecticut, ceded -	169,609,819
Georgia ceded - - - - - -	58,898,522
North and South Carolina ceded - -	26,432,000
Purchased of France and Spain - -	987,852,332

The public lands, when surveyed, are usually set off into townships of six miles square, each of which is again divided into thirty-six sections of one mile square, or 640 acres. The divisional lines which cross each other at right angles, run in the direction of the four cardinal points. One section, or a thirty-sixth part of every township, is allotted, and set apart for the support of schools. In the country west of the Alleghanies, seven entire townships have been given in perpetuity for the endowment of superior seminaries of learning. The lands are offered for sale in quarter sections of 160 acres, at the minimum price of one dollar and one-fourth of a dollar per acre, and whatever remains unsold may be purchased privately at this price. Formerly the minimum price was two dollars per acre, payable in four years, by four instalments, but by the act of Congress of 1821, it was fixed at one dollar and one-fourth or 25 cents, ready money: this regulation was found necessary, to discourage

the growing practice of speculating in lands, (which nevertheless exists to a very considerable extent) and to lessen litigation arising out of protracted payments.

All the public lands are laid out and surveyed under one general system, which is both simple and convenient, and is thus described in Peck's Guide.

In the surveys, *meridian* lines are first established, running north from the mouth of some noted river: these are intersected with *base* lines.

There are five principal meridians in the land-surveys in the west.

The *first principal meridian*, is a line due north from the mouth of the Miami.

The *second principal meridian*, is a line due north from the mouth of Little Blue River, in Indiana.

The *third principal meridian*, is a line due north from the mouth of the Ohio.

The *fourth principal meridian*, is a line due north from the mouth of the Illinois.

The *fifth principal meridian*, is a line due north from the mouth of the Arkansas.

Another meridian is used for Michigan, which passes through the central part of the state. Its base line extends from about the middle of lake St. Clair across the state, west to lake Michigan. Each of these meridians has its own base line.

The surveys connected with the third and fourth meridians, and a small portion of the second, embrace the state of Illinois.

The base line for both the second and third

principal meridians commences at Diamond Island, in Ohio, opposite Indiana, and runs due west, till it strikes the Mississippi, a few miles below Saint Louis.

All the *townships* in Illinois, south and east of the Illinois river, are numbered from the base line, either north or south.

The third principal meridian terminates with the boundary of the state.

The fourth principal meridian commences in the centre of the channel, and at the mouth of the Illionis river, but immediately crosses to the east shore, and passes up on that side (and at one place nearly fourteen miles distant) to a point in the channel of the river, seventy-two miles from its mouth. Here its base line commences, and extends across the peninsula to the Mississippi, a short distance above Quincy. The fourth principal meridian is continued northward through the military tract, and across Rock river, to a curve in the Mississippi, at the upper rapids, in township eighteen north, and about twelve or fifteen miles above Rock island. It here crosses and passes up the *west* side of the Mississippi river, fifty-three miles, and recrosses into Illinois, and passes through the town of Galena to the northern boundary of the state. It is thence continued to the Wisconsin river, and made the principal meridian for the surveys of the territory, while the northern boundary line of the state is constituted its base line for that region.

Having formed a principal meridian with its corresponding base line, for a district of country, the next operation of the surveyor is to divide this into tracts of six miles square, called *townships.*

In numbering the townships east or west from a principal meridian, they are called *ranges*, meaning a range of townships; but in numbering *north* or *south* from a base line, they are called *townships.* Thus a tract of land is said to be situated in township four, north, in range three, east, from the third principal meridian; or as the case may be.

Townships are subdivided into square miles or tracts of six hundred and forty acres each, called *sections.* If near timber, trees are marked and numbered with the section, township, and range, near each sectional corner. If in a large prairie, a mound is raised to designate the corner, and a billet of charred wood buried, if no rock is near. Sections are divided into halves by a line north and south, and into quarters by a traverse line. In sale under certain conditions, quarters are sold in equal subdivisions of forty acres each $1.25 per acre. Any person, whether a native born citizen, or a foreigner, may purchase forty acres of the richest soil, and receive an indisputable title, for fifty dollars.

Ranges are townships counted either east or west from meridians.

Townships are counted either north or south from their respective base lines.

Fractions are parts of quarter sections intersected by streams, or confirmed claims.

The parts of townships, sections, quarters, &c. made at the lines of either townships or meridians, are called *excesses* or *deficiencies*.

Sections, or square miles are numbered, beginning in the north-east corner of the township, progressively west to the range line, and then progressively east to the range line, alternately terminating at the south-east corner of the township, from one to thirty-six as in the following diagram:

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

In each land-office there is a register and receiver, appointed by the president and senate for the term of four years, and paid by the government.

After being surveyed, the land by proclamation is offered for sale at public auction by half-quarter sections or tracts of eighty acres. If no one bids for it at one dollar and twenty-five cents per acre, or more, it is subject to private entry at any time after, upon payment of one dollar twenty-five cents per acre, at the time of entry. *No credit in any case is allowed.*

Lands bought of the United States Government

are exempted from taxation for five years after sale. All other lands owned by non-residents, equally with those of old residents are subject to taxation annually, either for state, or country purposes, or both. The mode and account varies in each state. If not paid when due, costs are added, the lands sold, subject to redemption within a limited period,—generally two years. Every new resident land-holder should employ an agent within the state where his land lies, to look after it and pay his taxes, if he would not suffer the loss of his land.

The title-deed is printed on a small sheet of parchment, with the date, the purchaser's name, and topographical situation of the ground inserted in writing. It is subscribed by the President of the United States, and the agent of the land-office, and delivered, without charge, to the purchaser, who may transfer the property to another person, by a process equally cheap and simple.

Though that one dollar and a quarter, or one dollar twenty-five cents, is the minimum price paid for land, it by no means follows, that all land sold on this account is disposed of at this price. Many of the lots are run up, and sold as high as eight, and even ten dollars, or from thirty-five shillings to two guineas British, per acre. The precise sum is of course regulated by any, or the peculiar advantages that each lot may possess, either in the quality or fecundity of the soil — its advantageous site—its proximity to water, or land-conveyance, or, perhaps, the possession within its own limits of a sufficient

water-power for manufacturing and other purposes, which, in an infant settlement, is always of inestimable value.

From the published accounts of the late sales in Michigan, for example, it appears in the sales of the university and school lands of Kalmazoo county, that the purchase-price of the former averaged from twenty to fifty dollars, and the school (which includes every sixteenth section of the state) brought from $8 to $445 per acre! One school section sold for $32,000, averaging $50 per acre, whole amount of acres, 8,100, yielding $150,000. In Calhoun county the sales were 2000 acres, averaging $11-60 per acre. The whole number of sales in that county brought $60,000.

The purchase of land in America, notwithstanding its frequent attendant advantages, is often hazardous. The emigrant, therefore, who has but little to lose, should be the more cautious how he may risk, or part with that little. Should he, after a diligent examination, and the observances we have pointed out, purchase from the United States Government, he may be perfectly satisfied as to the title. But even here great care should be used in choosing the spot. The advice of persons long resident, and who are *ascertained* to possess no *interest whatever* in the sale, should be taken as respects the advantages of commerce, agriculture, health, and other local essentials and conveniences. If, on the contrary, the purchase should be made from a private source, the utmost care and circumspection is necessary in

making the conveyance. As in the states of Louisiana, Missouri, and many other of the states, landed estate is tacitly mortgaged for its own price, it is the more obvious that the first and bounden duty of a purchaser is, to ascertain that the payments have been made upon all former sales, and that the claim of title is clear and unbroken from the first grantee to the seller, before that he is induced to part with any portion of his capital. In making this disposition of his money, he should also avoid encumbering himself with too large a quantity of land at the beginning, which will only weaken his energies, by dividing them over a too extended surface. "The causes are numerous," we quote the observations of a late American writer, "why emigrants, particularly Europeans, ought to proceed with the utmost caution in the purchase of landed property. The most radical fault committed by them, is the purchase of too much; and the investment of capital in that manner, which would be much more beneficially employed upon the complete cultivation of a lesser quantity. The probable rise in the price of land is no excuse for this error; where one man has gained by the augmentation of land, fifty have become rich by its fruits. The grasping of wide spans of soil is a natural consequence of the great expanse upon which men exist in new settlements. The accumulating of land assumes the madness of avarice. Land is possessed, not from any prospect of cultivation, but from vanity.

"So prevalent is the foregoing propensity in the

western states, that many persons are engulphed inwardly who would, upon mature reflection, severely condemn their own inadvertence. It may not be thought probable, but it is nevertheless a fact, that within the last twenty years, no subject has been more productive of ruin to the people of the western states, than indiscreet land purchases.

" The farmer, with a moderate capital and family, ought to prefer a small, fertile, and well-situated tract, as his place of beginning; his surplus ought to be appropriated to improvement; and, if judiciously applied, produces more, and in a short time, than if vested in superfluous land estate.

" To men who remove into the western or southern states, with money, this is a rock of temptation upon which they are very liable to be dashed. So many have involved themselves by purchasing land, that every lure is laid before the monied emigrant to induce him to relieve, by his purse, embarrassments created by the very folly he is now solicitous to commit."

In determining a situation, the emigrant nas a choice of every variety of climate, extending from latitude 29° to 44° degrees, comprehending every region suitable to the growth of the staple products of almost every country, including tobacco, sugar, rice, cotton, and grain of every description, from which extent he may select such district for his future location, to suit the culture he may intend to follow. If sugar, he will go south of 31½ degrees; if cotton, 36; tobacco, south of 38; rice, south of

32; if corn, wheat, barley, bere, oats, &c. from 36 to 41. Further north than this, he will find the climate unsettled, winters long and severe, and altogether less desirable. Should he, instead of choosing the thickly-wooded country for his place of future settlement, prefer the open and unincumbered districts of the prairie-lands, he will easily attain his object, and meet with many eligible purchases in the alluvial valleys of the Ohio, the Mississippi, and their confluent streams. These lands are remarkable for their extraordinary richness and fertility; the soil is generally of a black vegetable mould, intermixed with fine sand, and sometimes gravel.

In choosing a situation for a farm, it is important to select a tract, so as to secure half woodland, the remainder prairie; by which means the settler is provided with abundant timber to supply his early wants, and sufficient land withal, on which to exercise his first industry. Yet, notwithstanding the very many advantages which the extensive prairie districts of the western states present, they can scarcely be recommended as a desirable location to the European, for it is an admitted principle sustained by all past experience, that all countries in a state of nature are liable to generate disease, particularly that most distressing of all complaints, ague with intermittent fever, proportioned in its virulence to the fertility of the soil, occasioned by the vast quantity of decomposed vegetable matter produced in the autumn and summer months.

There are very many, nevertheless, among the first

settlers, who, considering or valuing their health as of secondary importance to the increased gain they hope to realise, sacrifice their own constitutions to their avarice and excessive cupidity. The miasma which abounds in these districts, must always operate with its natural influence upon the human system, in despite of any "fixed rules" that may be laid down, or the numerous "preventatives" with which the emigrant may be provided, to protect and shield him in his newly acquired possession. He should recollect that the profits do not arise so much on the limited outlay of capital he has been enabled to expend, but upon such capital conjointly with his own industry and labour, which if checked by illness or any other cause, will leave him as destitute as when he first embarked in his speculation. In whatever part of this extended territory he may select as the place of his future residence, the preservation of his health should be a primary consideration in directing his choice—it should be his first care, to which his every effort should be directed, taking especial heed never to expose himself to the changes or vicissitudes of climate when such can be avoided.

In a general sense, the recent settlements, indeed the entire western states may be considered unhealthy, especially to the European constitution. But a great deal of its evil consequences may also be guarded against, by the exercise of a due precaution on the part of the emigrant. Mr. Peck, in his guide to the western valley, in which he resided for

many years, describes the principal diseases that prevail, as follows:—"In the winter, and early in the spring, severe colds, inflammation of the lungs and pleurisies are most common. The genuine hereditary consumption of New England is rare, and families and individuals predisposed to that disease, might often be preserved by migration to this valley. Acute inflammations of the brain, and inflammatory rheumatisms are not unusual at that season.

"During the summer and autumn, cholera infantum with children in large towns, diarrhœa, cholera morbus, dysentery, intermittent and remittent bilious fevers prevail.

"The intermittent assumes various forms, and has acquired several names among the country people, where it prevails more generally than in large towns. It is called the 'chill and fever,'—'ague,'—'dumb ague', &c., according to its form of attack.

"The remittent fever is the most formidable of our autumnal diseases, especially when of a highly bilious type. In most seasons, these diseases are easily managed, and yield to a dose or two of medicine. Sore eyes, especially in autumn, is a common complaint in the frontier settlements, and when neglected or improperly managed, have terminated in total blindness.

"The *milk sickness*, as it is called, occasionally prevails in some localities. It is a disease of a singular character, which prevails in certain places. It first

affects animals, especially cows, and from them is communicated to the human system, by eating the milk or flesh. The symptoms of the disease indicate poison; and the patient is affected nearly in the same way as when poisonous ingredients have been taken into the system. Cattle, when attacked by it usually die. In many instances it proves mortal to the human system; in others, it yields to the skill of the physician. Much speculation has been had upon its cause, which is still unknown. The prevailing idea is, that it is caused by some poisonous substance eaten by the cattle, but whether vegetable or mineral remains undetermined. Physicians and others have attempted to ascertain the cause of this disease, but hitherto without success.

"It infests only particular spots, or small districts, and these are soon found out. There are places in Ohio, Indiana, and the southern states, where it exists. Its effects are more frequent in autumn than any other season; and to guard against it the people either keep their cows in pasture, or refuse to use their milk. Some have supposed this disease to be produced by the cattle feeding on the *cicuta virosa*, or water hemlock, as a similar disease once infected the cattle in the north of Europe, the cause of which was traced out by the great naturalist, Linnæus; but it is not known that this species of plant exists amongst the botanical productions of Missouri and Illinois.

"There is a disease that afflicts many frontier

people, called by some 'sick stomach' by others 'water brash,' from its symptoms of sudden nausea, with vomiting, especially after meals."

The settler having used all due precaution as to his health and made himself thoroughly acquainted with each locality—its advantages, and the uses to which it may be convertible, and having completed his purchase, should now direct his attention to the improvement of his newly acquired property. Much, no doubt, of the success of his enterprise will depend upon the capabilities of the situation he has selected, but a great deal will also rest with himself, in the encouragement he may give to future emigrants to settle and domicile upon these lands. A liberal policy to first settlers, would invariably induce others to locate themselves upon the same property, while a nmmber of proximate settlements would, as a matter of course, raise the price and value of lands in his neighbourhood. An advantageous site for a town, or village, should be the first object, and carefully marked out; securing, as far as may be practicable, a situation which would afford a water conveyance to the navigable or tributary rivers that intersect almost every part of central and western America, and that flow either into the Ohio, the Alleghany, the Wabash, the Illinois, or Missouri, that discharge themselves by the great western gulf at New Orleans; or the Hudson, the Susquehanah, that find a readier outlet to the great Western Ocean at New York, and the Chesapeake, which will ensure facilities of export-

ing the various productions of the soil, as also, of the individual and united industry of its first settlers.

The next object to which the purchaser ought carefully to direct his attention, should be the careful division of his remaining land into sections, disposing of the intermediate subdivisions at a moderate rent, or letting to an encouraging and industrious settler at long credit. The intervening land, particularly the village lots, provided the situation possesses the requisites for the settlement of a town, or village, will very soon double in the amount of their original value, yielding to the purchaser a considerable per centage upon his first outlay, as well as a fair remuneration for his trouble and perseverance.

Much discrimination is at all times necessary to determine the character and disposition of the emigrant that a purchaser should select as a first settler upon his property. Emigrants to the United States are from every part of Europe; but it is a remarkable and admitted fact, that the Dutch, Swiss, and Germans, are pre-eminently successful over all other nations, which is mainly owing to their habits of industry—their sober and peaceful demeanour, with the cautious and judicious mode they usually adopt in settling. The best lands in the states of New York and Pennsylvania are held by them, on which many of them have amassed considerable wealth. The same advantages are equally within the range of every other settler, and

as easily seeured, provided he choose to adopt the same means to adopt them.

The two first essentials in a new settlement, are generally admitted to be a saw and a grist mill. The one to prepare a local habitation for the new comer, and subsequently, to enable him to prepare his land for cultivation; with the latter, to assist him in turning his industry and labour to account, in converting his corn into flour for the nearest market. The axe is generally the first instrument of husbandry for which he will find use; it gives him employment for at least the first year or two of his settling, particularly, in the wooded districts beyond the Alleghany Mountains. Should he however, prefer the open and unencumbered prairie, he has only to cross the Mississippi, to find in the state of Illinois or Missouri, or the north-west territory, such as he may require.

The alluviæ in the neighbourhood of large rivers, as well as in the thickly wooded districts, is more especially unhealthy, particularly to the European stranger. Ague and intermittent fever, as already observed, are generally prevalent—debilitating, and predisposing the system to the ravagesof consumption, which, in America, may be said to exceed, in the proportion of ten to one, every other complaint. A preventative in ague cases, as indeed in every other sickness, is at all times far better than any cure. The settler should above all things cautiously guard against its attacks, for once the system is assailed, the disease becomes periodical and intermittent, for which

change of air or climate is generally found to be the only remedy. This most distressing and wasting complaint is frequently induced by exposure to the dews and night air.

There is another class of emigrants, and, indeed, a majority of those who arrive in America, that have only farming in view. The task they propose to themselves is one of labour, requiring energy, considerable bodily strength, and, above all, untiring perseverance to its accomplishment. The obstacles they have to encounter, are numerous, and lay strewed on all sides; but even these will disappear, if met by industry, and a fixed resolve to overcome them. The road that such emigrants should pursue, is no longer obscured by doubts and apprehensions, or beset with difficulties beyond his reach or control; the course is now a beaten track of comparatively easy progress, and on which many have preceded him, if not to wealth, at least to comparative independence and comfort. The first object of such a man should be to reach, without unnecessary delay, the western states, by any of the many routes we have pointed out, and to effect his purpose by as cheap a mode of conveyance as practicable. Besides the accommodation secured to the traveller by canal and rail-road, a number of covered waggons leave Philadelphia, almost daily, for Pittsburgh, or Wheeling, on the Ohio; as also from Baltimore to those places. In these he may travel with great economy, and secure all the accommodation he may require upon the road. The charges by such con-

veyance are always moderate, and usually determined by weight, varying from three to six dollars per cwt. for passengers and luggage. But should the emigrant, from his restricted means, or otherwise, choose to walk, he will be enabled to make his way much cheaper, and at the end of his journey will have sufficient saved to meet his expenses at Wheeling, where he would do well to sojourn for a few days, to make such further inquiry, and secure such other necessary information as will guide him in his future progress.

Having arrived at this resting-place, his course can now no longer be pointed out by the general rules that might heretofore apply in directing his conduct; his further destination must now depend upon himself; he is from henceforth to be the arbiter of his own fate, while his success must depend in a great measure upon the judgment and foresight with which he may pursue his object.

The following, descriptive of a first settler, from a recent American work, is so truly characteristic of this class of men, the hardships and severe privations with which they buffet their way through the world, besides presenting much of useful information, that we readily present it for the reader's perusal.

"The first settler in the woods is generally a man who has outlived his credit or his fortune, in the cultivated parts of the state; his time for migrating is in the month of April; and his first object is to build a cabin of rough logs for himself and family. The floor of this cabin is earth, the roof of split logs;

the light is received through the door, and, in some instances, through a small window made of greased paper; a coarser building adjoining this cabin, affords a shelter for a cow and a pair of poor horses. The labour of erecting these buildings is succeeded by killing the trees on a few acres of ground, near his cabin; this is done by cutting a circle round each tree two or three feet from the ground, which is then ploughed, and Indian corn planted in it. The season for planting this grain is about the 20th of May. It grows generally on new ground, but with little cultivation, and yields in the month of October following, from forty to fifty bushels per acre. After the first of September it affords a good deal of nourishment to his family, in its green or unripe state, in the form of what is called *roasting* ears. His family is fed during the summer by a small quantity of grain, which he carried with him, and by fish and game. His cows and his horses feed upon wild grass, or the succulent twigs of the woods.

"In the first year he endures a great deal of distress from hunger, cold, and a variety of accidental causes; but he seldom complains, and seldom sinks under them; as he lives in the neighbourhood of Indians, he soon acquires a strong tincture of their manners. His exertions, while they continue, are violent, but they are succeeded by long intervals of rest; his pleasures consist chiefly of fishing and hunting. He loves spirituous liquors, and he eats, drinks, and sleeps in dirt and rags, in his little

cabin. In his intercourse with the world, he manifests all the acts that characterise the Indians. In this situation he passes two or three years. In proportion as population increases around him, he becomes uneasy and dissatisfied. Formerly his cattle ranged at large, but now his neighbours call upon him to confine them within fences, to prevent them trespassing upon their fields of grain; formerly he fed his family upon wild animals, but these, which fly from the face of man, now cease to afford him easy subsistence, and he is compelled to raise domestic animals for the support of his family.

"The next description of settler is generally a man of some property; he pays one-third or one-fourth part in cash for his plantation, which consists of three or four hundred acres, and the rest by instalments; that is, a certain sum yearly, without interest, till the whole is paid. The first object with the settler is to build an addition to his cabin; and, as saw-mills generally follow settlements, his floors are made of boards, and his roof is made of what are called clap-boards, which are a kind of coarse shingle split out of oak logs. This house is divided by two floors, on each of which are two rooms; under the whole is a cellar walled with stone; the cabin serves as a kitchen to his house. His next object is to clear a little meadow-ground, and plant an orchard of two or three hundred apple-trees; his stable is likewise enlarged, and, in the course of a year or two, he builds a large log-barn, the roof of which is commonly thatched with rye-straw. He, moreover,

increases the quantity of his arable-land; and instead of cultivating Indian corn alone, he raises a quantity of wheat and rye; the latter is raised chiefly for the purpose of being distilled into whiskey.

" This species of settler by no means extracts all from the earth that it is able and willing to give. His fields yield but a scanty increase owing to the ground not being sufficiently ploughed. The hopes of the year are often blasted by his cattle breaking through his half-made fences and destroying his grain; his horses perform but half the labour that might be expected from them, if better fed, and his cattle often die in the spring for want of provisions and the delay of grass; his house as well as his farm bear many marks of a weak tone of mind; his windows are unglazed, or if they have had glass in them, the ruins of it are supplied with old hats or wood, or pot lids. This kind of settler sometimes drinks spirituous liquors to excess, will spend a day or two in every week in attending political meetings, and thus he contracts debts which compel him to sell his plantation in the course of a few years to the third or last species of settler.

" This man is generally a person of property and good character, sometimes he is the son of a wealthy farmer in one of the ancient and interior counties of the state. His first object is to convert every spot of ground over which he is able to draw water into meadow. When this cannot be done he selects the most fertile spots on the farm, and devotes it by

manure to that purpose. His next object is to build a barn, which he prefers of stone. This building is sometimes one hundred feet in front, and forty in depth; it is made very compact, for our farmers find that when their horses and cattle are kept warm, they don't require near so much food as when exposed to the cold. He uses economy likewise, in the consumption of his wood; hence he keeps himself warm in winter, by means of stoves, which save an immense deal of labour to himself and horses, in cutting and hauling wood in cold and wet weather. His fences are every where repaired, so as to secure his grain from his own and his neighbour's cattle. But further, he increases the number of the articles of his cultivation, and, instead of raising Indian corn, wheat, and rye, alone, he raises in addition oats, buck wheat, and spelts. Near his house he allots an acre or two of ground for a garden, in which he raises a large quantity of cabbage and potatoes. Over the spring that supplies him with water he builds a milk-house; his sons work by his side all the year, and his wife and daughters forsake the dairy and the spinning-wheel, to share with him the toils of the harvest.

"The last object of his industry is to build a dwelling-house; this business is sometimes effected in the course of his life, but is oftener bequeathed to his son, or the inheritor of his plantation, and hence we have a common saying amongst our best farmers, 'that a son should begin where his father

left off;' that is, he should begin his improvements, by building a commodious dwelling-house, suited to the value of the plantation.

"We do not pretend to say that this mode of settling farms is universal. Instances have been known where the first settler has performed the improvements of the second, and has failed to accomplish the third. There have been a few instances also of men of enterprising spirit, who have settled in the wilderness, and, in the course of a single life, have advanced through all the intermediate changes of improvement above-mentioned, and produced all those conveniencies that have been ascribed to the third settler."

Such is a brief history of a first settler; presenting in the relation, much of valuable and instructive information, as to the mode in which settlements are usually made in the uncleared lands of the western states, and from which the emigrant may form some estimate of the duties and privations he will have to encounter; the restraint and self-denial he will be required to undergo before reaping his anticipated harvest of success. But even these, he will perceive, are shared with him by the native American, from whose example, toil, and patient endurance, he may perceive the necessity for his own exertions, and from whose ultimate success he may learn the reward that will await his industry and well-directed perseverance. He will also perceive from this, that the process of settling in a new country is by no means of such easy accomplishment as it may

appear at first view. Indeed it is the more surprising, that men can be found sufficiently adventurous and daring to assume the task; to meet the risk, and patiently submit to the deprivation and suffering they are thus compelled to undergo. The stoutest heart, when glancing over an uncleared, uncultivated, and heavily-timbered tract, may very well shrink appalled at the hardihood of the undertaking; but, impelled by the hope of future independence, and the spirit of enterprise, by which the early settler is sustained, he pushes forward, plunges into the thickest of the forest, which, until then, had never heard the woodman's stroke, or never been aroused by human tread—clears a place sufficient for his wretched dwelling, and first year's consumption, and in his progress, converts the lonely wilderness into a thriving and flourishing farm. This extraordinary aptitude of the American settler is ably depicted by Talleyrand, Volney, and many other writers. The following humorous, though brief and faithful account, is given in a recent American periodical:

"The most prominent habit in the American, is a certain rambling propensity, with which, like the sons of Ishmael, they seem to have been gifted by Heaven, and which perpetually goads them on to shift their residence from place to place, so that they are in a constant state of migration; tarrying a while here and there, clearing lands for other people to enjoy,—building houses for others to inhabit, and in a manner, may be considered the

wandering Arabs of America. His first thought on coming to the years of manhood, is to settle himself in the world, which means nothing more or less, than to begin his rambles. To this end, he takes to himself a wife; some dashing country heiress; that is to say, a buxom rosy cheeked wench, passing rich in red ribbands, glass beads, mock-tortoiseshell combs, with a white gown and morocco shoes for Sunday, and deeply skilled in the mystery of making apple sweatmeats, long sauce and pumpkin pies. Having thus provided himself like a true pedlar, with a heavy knapsack wherewith to regale his shoulders through the journey of life, he literally sets out on the perigrination. His whole family, household furniture, farming utensils are hoisted into a covered cart, his own and his wife's wardrobe, packed up in a butter firkin, which done, he shoulders his axe, takes staff in hand, and trudges off to the woods as confident of the protection of Providence, and relying as cheerfully on his own resources, as ever did a patriarch of yore, when he journeyed into a strange country of the Gentiles. Having buried himself in the wilderness, he builds himself a log hut, clears away a corn field and potatoe patch, and Providence smiling upon his labours, is soon surrounded by a snug farm, and some half score of flaxen headed urchins, who by their size seem to have sprung up all at once out of the earth like a crop of toad-stools."

A farmer, on settling in America, should never rashly set up his opinions founded on former prac-

tice or experience in other countries, against those of his neighbours, or older settlers. He will possibly find many things according to his early notions, that will appear to him in the outset, either wrong or unnecessary; but which further experience will prove both right and expedient. If he should succeed in securing the good will of his neighbours, which he ought at all times endeavour to cultivate, he will find them ready to counsel and aid him in his pursuits and daily progress. Without their advice and assistance in the first instance, combined with the advantages of their continued example, he will find it somewhat difficult to make his way.

The succession of crops yielding to the influence of a nearly vertical sun, and a differently modified climate, vary most materially from what the emigrant has been accustomed to in England. Instead of the old order of things to which he has been tutored from his infancy, he will find that his rye harvest commences so early as the month of June—his whea immediately afterwards, whilst his oats follow in quick succession; his meadow is soon after fit to cut—his potatoes succeed; and lastly, his Indian corn. His fruit trees, from the time that they usually take to reach maturity, require his early attention. Apples, though of the most common fruit in the United States, generally arrive at great perfection; in the eastern and middle states they are produced in great plenty, as also in the interior of the country; but in the maritime ports of the southern states, and Louisiana, they do not thrive

Peaches are also abundant, particularly in the middle and southern states; and when dried or preserved, constitute an essential part of the store-room provision of every American housekeeper; while, at the same time, they are a source of very considerable profit to the farmer; as such, they are entitled to his first care. As soon as his land is prepared, well fenced, and secured from the intrusion of his cattle, he should plant his trees at the proper season, two sorts alternately. say one of peach, between two of apple trees; the apple trees generally at the distance of thirty or thirty-two feet asunder. By this mode, the peach trees, which soon reach their meridian, will decay and make room for the apple trees, by the time they may reach maturity, and require additional room for their increased and enlarged growth. By this early provision, the emigrant will soon be able to secure a plentiful supply of cider, both for his own and family use, besides converting his surplus stock, as also his abundant store of peaches to an easy means of increased revenue, which will amply repay him for all his care, expenditure, and additional trouble.

The first use that the settler usually makes of the rye which he produces from his farm, is to convert it by distillation into whiskey, of which there is a large proportion annually made throughout the middle and western states, particularly in the districts watered by the Monongohela, from which river the best whiskey takes its name: when new, it is most pernicious to human health; and even

when it acquires age, is at best an inferior article falling in character very far short of the whiskey produced either in Scotland or Ireland. Large quantities are annually exported from the ports of Philadelphia and Baltimore, where its wholesale price is generally from thirty-five to forty cents, or from one shilling and fivepence to one shilling and eightpence sterling, per gallon.

The facilities with which this spirit is procured by new settlers, is frequently productive of the most unhappy and ruinous consequences; it is the rock upon which the fair prospects of many have been wrecked, long before they have had time to recede from its indiscriminate indulgence, or reflect upon the inevitable tendency and danger of its continuance. The abstemious habits of the Swiss, German, and other continental emigrants, have fortunately guarded them from its abuse, and its consequent pernicious effects. But how are we to speak of those arriving from British ports, especially of that class of Irish who reach America, and whose conduct, even in the new world, is so frequently distinguished by that recklessness and indifference to the future, that has heretofore marked the character of the Irish peasant, as distinct and unlike that of any other people in the world.*

* The above was written under the influence of opinions we had imbibed from our personal observations in America. Yet, since then, what a salutary and important change has come over the spirit of the Irish people! What a mighty revolution in the character of the entire nation, where, through the exertions and

The English settler may with very little trouble brew his own ale: barley, though inferior to that which he has been accustomed to, is a general crop to the west of the Alleghanies. Hops grow in abundance, and constitute an article of considerable exports to France and other parts of the European continent.

One of the settler's first precautions in marking out a site for his house, should be, to secure the advantages of good and wholesome water for his own use, and that of his family; many ailments are caused by a remissness and very culpable inattention to this most essential duty. It is true, that every settler cannot be supposed capable of analysing it; but he may at all times discover the presence of iron, sulphur, and acid, or an alkali, by means that are generally within his range. A small proportion of the inner bark of the oak tree immersed in a glass full, turns the water black, if im-

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indomitable perseverance of one man, a pious and exemplary clergyman of the Roman Catholic Church, intemperance has been in great part driven from the land, and given way to habits of comparative sobriety and peace. It is to be hoped, that the spirit which has worked so many changes in the old world—which has in part remodelled the entire social habits of the subordinate classes of Irish society, will extend its influence to new, and that the Irish emigrant, who has tested the many advantages of the observance of strict sobriety and a peaceful deportment, may not be persuaded to relapse into former excesses, by being exposed to the contagion of bad example, or from being exempt from the wholesome influence of a jealous watchfulness of his conduct, by those, whom, on removal to the new world, he may no longer feel himself amongst.

pregnated with iron. Sulphur is ascertained by another test, and may easily be detected, by laying a piece of bright silver in the water, and which turns black if that substance is held in solution. Paper stained blue, by the petals, or finer leaves of almost any flower of that colour being rubbed upon it, turns green, by being dipped in water impregnated with alkali—or red, if an acid.

The purchase of land in the United States, of late years, has been most extensively gone into, for far other purposes than we have described; made exclusively as a trading or gambling speculation, in which several have largely embarked, and amassed considerable fortunes with a rapidity almost beyond their own belief. There are many, on the other hand, who have been especially unfortunate in these adventures, and have lost their all. Large tracts of country, their particular characteristic or whereabouts frequently unknown to any one of their numerous transitory proprietors, are daily put up to auction by some one of the many land-brokers in New York, Philadelphia, Boston, and other large cities, who are instrumental in carrying out these frauds upon the community, explained to the public through the distorted medium of every variety of newspaper puff, and in the exaggerated hyperbole of the most extravagant fiction; described as possessing every imaginary requisite—the *ne plus ultra* of all that can possibly be desired, accompanied by neatly executed lithographic prints of the cities, the towns, villages, and hamlets,

with streets, squares, and public buildings, accurately described thereon, as laid out, or in course of erection; while, perhaps, not a solitary dwelling-house stands upon the entire premises, or even a passage yet opened through the mazes, the nearly impenetrable forests with which they are surrounded. Yet are such things of frequent occurrence, exhibiting one of the reprehensible and very discreditable modes to which Americans sometimes resort, to amend their fortunes in the world. Large sums are even amassed in this way, while the foreigner is more generally made the victim of this deception, and who, unsuspicious of the deceit, parts with a large portion of his means in a culpable reliance on the mendacious falsehoods, the notorious imposture by which he is often betrayed. There is always a numerous bevy of land-sharks, the usual hangers-on at every sub-land agency office, for ever on the *qui vive*, and at all times prepared to take advantage of the ignorance, or misplaced confidence of every *bona fide* applicant for purchase.

Agricultural pursuits are, nevertheless, the most unsuited to the taste and general habits of an American citizen, particularly of the northern and eastern states. It is an employment of all others the most opposed to his notions of respectability, and ideas of worldly comfort, and, in his interpretation, a mere waste of his time, an utter abasement of his mental and physical capabilities. In an extreme climate, such as the United States, it is considered the most

ungrateful of all occupations; one, wherein the strength and faculties of man are exhausted, the mind restricted in its native energy and freedom, without yielding any fair or adequate remuneration in return. As such, it is avoided by the youth as well as the aged of every class, whose better fortunes may enable them to escape from its severe restrictions; who seek the towns, the throng and tumult of crowded cities, the desk and counter of the merchant, or, indeed, any other business occupation, rather than the quiet, peaceful, and industrious pursuits, with its assumed or countervailing disadvantages, of an American country life. The fact is simply this, that agriculture, with any attendant good it may possess, its unrestricted freedom, and comparative exemption from worldly care, together with its steady remunerating profits, is too tedious in its movements, too slow in its operation, and far too circumscribed in its range, to accord with the speculative turn of the American citizen, or keep pace with his unceasing and active industry.

Impatient of any restraint beyond his own free will, or of limit beyond the bounds of his own calculations, this mode of bettering his fortunes is far too restricted in its means, too circumscribed in its action, either to accord with his inclinations, his thirst for inordinate gain, or to reconcile with the inherent inquietude of his disposition. He turns from it as a waste in his pursuits, and with a belief, that he would receive in almost any other employment within the compass of his attainment, a fairer

equivalent for the outlay of his capital and exertions his acknowledged assiduity and labour.

To this distaste of the American, and the comparative few, (commensurate with the capabilities of the country,) engaged in agricultural pursuits, may be attributed the otherwise inexplicable fact of the Republic, though with its vast and productive territory, being at any time, or under any casualty or circumstances, dependent upon the labour and industry of foreign nations for their supply of bread stuffs: such, nevertheless, has been the case, especially in the year 1837, immediately succeeding the period of extraordinary speculating and overtrading, with the general bankruptcy which it occasioned. By the official returns of this year, there appears to have been imported into the United States of foreign wheat, to the value of 4,154,325 dollars; and of wheat flour 122,651 dollars. It is true, that the crops of this season were of short produce, but certainly not to that extent, that would justifyAmerica, with her capabilities of supplying the wants of every other nation in the world, being dependent on them, for this first necessary of life. The spirit of mercantile speculation and jobbing, had, however, gone abroad, and seized with the tenacity of a confirmed disease, upon the minds of the great bulk of the population; the lands became neglected, the supply lessened in its usual quantity, and *four millions two hundred thousand dollars* were sent out of the country, in a season of unusual mercantile difficulty, as of its fruitful consequences.

We shall now conclude this chapter, by reiterating our advice to the emigrant, that in whatever position he may be placed—whatever may be his plans or contemplated arrangements, to proceed with the utmost caution in every step he may advance, preserving at all times a steady watchfulness over his conduct, especially in his intercourse with the native citizen, from whom he will receive no sympathy in any difficulty or unexpected misfortune that may overtake him; but who will rather look upon the success that may reward his labours with an unkind and ungenerous feeling, than with indulgence or good nature. Whatever may be his conduct; however unassuming and peaceable in his deportment, or friendly disposed in his necessary and daily intercourse with them, he should bear in mind, that he is still a foreigner in their sight, that which no American will ever, or can forget, and as such, is often looked upon as an intruder, even upon the soil he has laboured to reclaim, and on which his capital, his industry, and strength, have been freely and cheerfully expended. It is only by the utmost circumspection and prudence upon his part, he can hope to surmount these, with many other of the difficulties that lay strewed in his path, or to pass unscathed in the toilsome and laborious undertaking he has stricken out for himself.

CHAPTER VIII.

The merchant, emigrant trader, or man of business—Rules for the regulation of his conduct on arrival in the United States—Necessity for extreme caution in his conduct—Money rate of exchanges in the United States—The merchant's first introduction—Business seasons in New York and other Atlantic ports—General mode of commercial dealing—Auctions and Auctioneers—American stores or shops—Boarding and lodging houses—Character of society met therein—Naturalization—Its advantages and disadvantages to the emigrant considered—Naturalization laws of the United States—Mode of acquiring naturalization—Aliens—The laws of each state especially relating to them, and the purchase or acquisition of real estate within each separate jurisdiction.

Among the numerous class of emigrants who arrive in the United States, there are none who stand more in need of cautionary advice, than the trader or man of business, who, directed by previously conceived notions, may be induced to seek in the new world a more extended and encouraging field for the exercise of his assiduity and enterprise, and a more advantageous and lucrative market for his exertions and capital. Every step that he may now take, should be marked by unusual circumspection and foresight. The difficulties that at first oppose themselves to his success, are numerous, though generally unobserved, and can only be removed by acquiring an intimate knowledge of the character and disposition—the habits and peculiari-

ties of the people amongst whom he proposes to settle—as well, their general and accustomed mode of transacting business. He will find them speculative, industrious, active and persevering; though somewhat different in their habits of commercial dealing, than probably what he has heretofore been accustomed to. If they are, as he will soon discover, but little disposed to confide in each other, they are certainly the less entitled to confidence from him as a stranger. Sagacity and shrewdness are of their characteristics; yet how often are these attributes perverted to the most unseemly uses, and made subservient to the inordinate love of wealth and its realization, which is the ruling passion of every American. To this, every faculty of his mind is turned—every effort made to promote, without always considering the means that he may call into use for this purpose; probity is to him a word of vague and senseless meaning; fair dealing a maxim but seldom known to his practice, except where a manifest advantage may suggest the expediency of its observance. These adherent qualities so peculiarly his own, distinguishing the American from the native of almost every other country, should at all times present him to the emigrant as an object of reasonable mistrust, if not of well-deserved suspicion, and cause him to proceed with that deliberate caution, that necessary reserve upon his first arrival in the country, which he will always find to be his surest and best protection, and that may perhaps

ultimately save him from some disastrous and fatal shipwreck.

If the emigrant is known to possess means, his friendship, or at least his confidence, will be eagerly sought after; inducements of the most alluring kind will be laid before him, to betray him into speculations, that at first view may promise him a redundant profit, but which in nine cases out of ten, will seal his destruction. He should ever bear in mind, that a foreigner in America—more especially, from the old country, is at all times a legitimate object of plunder—a target, that every one may fire at, and that he is the last to excite compassion, or receive countenance under any disappointment or sudden reverse of fortune that may overtake him :—protected in a manner by these truths resting upon his mind, he may now venture to proceed.

The emigrant having landed at New York, and taken up his quarters, we will suppose at the Mansion House, in the Broadway,—by the bye, one of the most respectable, cleanly, and comfortable hotels in this fashionable thoroughfare, and equally reasonable in their charges with any other leading establishment in this city,—he should make it his first duty to discount or procure cash for the bills he had obtained at Liverpool, and will receive a premium, according to the then rate of exchange on England. This varies, being regulated by the state of trade at the time, between the two countries. In all commercial dealing $ 4.44½ is assumed to be the

par of exchange on England. This practice began when pillar dollars were in circulation, and when the market value of gold was less than it is at present. The true par varied, as the market value of gold varied, when compared with silver. It was estimated by Mr. Gallatin (writing in 1829) at 7 per cent above the nominal par, by others, at 8 per cent.

Since the passing of the Act of Congress 1834, for reforming the American gold coinage, the true par of exchange with England, estimating gold against silver is about $9\frac{7}{10}$ above the nominal par.

In 1834 the rate of exchange on England was so low as two per cent; in 1837, so high as twenty-one; in 1839 about ten per cent, and in 1843 from seven to eight per cent.

The emigrant having converted his securities into cash, and taken the precautions as to health, suggested in the preceding chapter, and being somewhat recovered from the effects of his late voyage,

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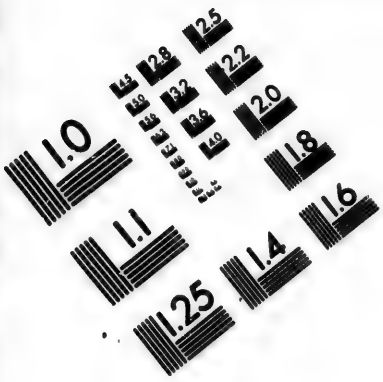
* The reader, who may be desirous of obtaining further information regarding the rate of exchange at Philadelphia, on London, Paris, and Amsterdam, from 1788 to April 1838, with the paper medium of England valued in gold, and the London prices of standard gold, and of Spanish dollars per ounce, is referred to the tables published by the American Secretary of the Treasury. They also shew the highest and lowest rates of exchange at New York on London, at sixty days after sight, and on Boston, Philadelphia, Charleston, and New Orleans at sight; and of the American gold of the old and new coinage, sovereigns, Spanish doubloons, Spanish dollars, and five-franc pieces, in each year, from January 1825, to May 1, 1838.

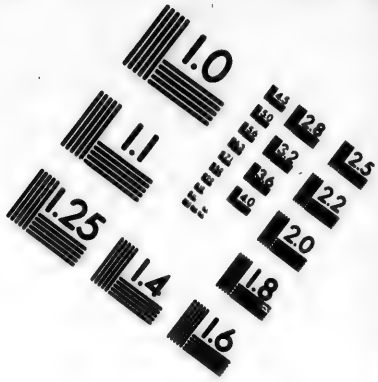
may now go forth and submit to the ceremony of delivering his letters of introduction. But he should by no means feel surprised at any coldness or formality in his reception; for he has arrived in a country sufficient to repress even the natural warmth of his own feelings, and to chill whatever notions of friendly hospitality and kindliness he may himself have ever felt. He should also know, that his welcome, by his newly-made friends, will be in the ratio of the measure of worldly advantage they may expect to derive from any future intercourse or connection with him. He will generally meet them most anxious, possibly intrusive, in their inquiries; but withal, chary in their offers of service, or useful information, where they may possibly anticipate their being accepted, lest, as is very probable, that such might clash with their own immediate interests, or interfere with their already projected plans, as regards him.

Though the emigrant may receive but little aid from his first introductions, he will, nevertheless, derive considerable benefit from a short *séjour* at New York. This city, the capital, or principal of the first, and as it is called, the "Empire State" of the Republic, is remarkably well situated, with a spacious and magnificent harbour, accessible at all seasons from the Atlantic, and capable of containing within its wide expanse, the entire merchant navy of the Republic. It is the great commercial emporium of the New World, the centre of its foreign trade, and, as such, extends a

very considerable influence over the entire mercantile concerns of the country.

The business season of New York, or rather, when its intercourse with the interior is the more frequent, as also of the other large Atlantic cities, may be considered to commence in the month of April, or when the cold and winter season has disappeared, and given way to a warmer and more congenial climate, and continues during the month of May, a part of the month of June, and again in the fall months of September, October, and November following, and before that the winter can re-assert its influence, in closing up the varied channels of communication with the interior. During this period of busy excitement, the city is usually crowded to excess, the hotels thronged with southern or western store, or shop-keepers, or "merchants," as most dealers in the United States, however unpretending, are usually designated, and, indeed, by traders of every grade and calling, from all parts of the American Union. A stranger, travelling at either of these seasons, on any of the great routes or thoroughfares from New York, Philadelphia, Baltimore, &c. would feel some surprise at meeting this immense concourse of people in such continued motion, without being able to account for this extraordinary spirit of migration, which would seem to have seized upon two-thirds of the entire population. But such is consequent on the mode in which commercial dealing is carried on; the manner in which the business transactions of the country are usually





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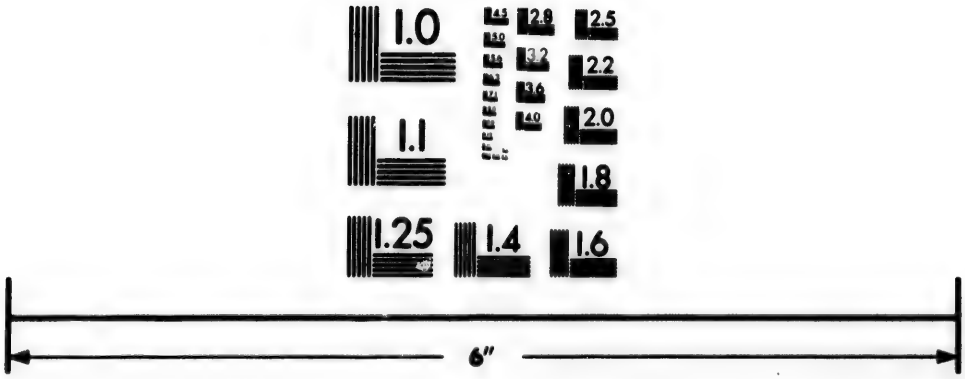

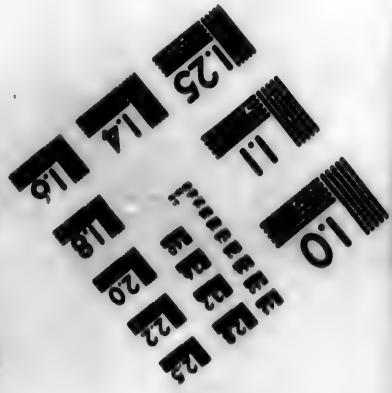

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conducted. Here, no man will trust implicitly to his neighbour, or confide to any house or mercantile establishment, however respectable in name and character, the supply or execution of his orders, without previously examining the state of the markets where his purchases are intended to be made, judging for himself, rather than from the representations and probable misstatements of his correspondents, and of attending to the equally essential duty of watching and personally superintending the assorting and forwarding his goods, and guarding, by these means, against the frequent impositions to which he would otherwise consider himself liable; while, generally aware of the measure of reliance to be placed on the honour and commercial faith of his fellow-countrymen, he adopts this mode to protect himself against every apprehended consequence of their want of integrity or honest principle.

The fluctuations in trade, the frequent incidental changes in the commercial and worldly condition of most Americans, who are said to amass and lose some two or three fortunes during their lives, may possibly have a tendency in lessening the anxiety of the generality of the large commercial houses, to confirm their inland connexions by any reasonable effort to please, or by imparting that confidence in their character for honesty and uprightness, as will present inducements to the inland and distant trader to continue their business intercourse with them, on some permanent and surer foundation. As it is, the

anticipated realisation of any future benefit, arising from any permanent connexion of this kind, seems generally removed from beyond their calculations, whilst they are usually found to adopt the short-sighted principle of sacrificing every prospective advantage—the fair name that should constitute a portion of their commercial wealth, for the realisation of any immediate or adventitious gain that may be assured to them.

The necessity of a strict observance, a watchfulness, such as we believe to exist between the retail merchant and the importer and wholesale dealer, cannot continue without its attendant disadvantage to all parties. What can be more distressing, and generally inconvenient to a trader, removed at a distance of several hundred miles from the seaboard, than travelling twice in each year, for days together, to reach New York, Philadelphia, Baltimore, or some one of the large Atlantic ports, separated from the direct superintendence of his immediate local business, that, in despite of every reasonable precaution, must suffer inconvenience in his absence, in order to procure his necessary supply, his accustomed stock of merchandize; that under a more wholesome system of commercial intercourse, based on mutual confidence, and a firm reliance on the integrity and good faith of the seller, might enable him to secure upon his order, and without the necessity of quitting his home for that purpose.

It will, perhaps, be said, there are difficulties on the other hand, that equally controul the import

merchant, who, amidst the fluctuations of trade, the uncertainty and doubt attached to the commercial position of most traders throughout the interior states, is afforded no possible opportunity of determining, from observation or local inquiry, the character or solvency of any of the numerous parties who may seek accommodation from him in goods and credit; and that occasions a necessity for the continuance of a mode of commercial intercourse, however otherwise inconvenient, in which trade is usually conducted throughout all parts of the Republic, compelling the distant merchant, as we have already noticed, to resort to the Atlantic cities, on each several occasion, to effect purchases whenever needed in supply of his usual trade or business.

The New York merchants, in order to in part obviate the perplexities arising from the present system, and to assist them with some guide in their commercial dealings with the interior, sent forward some few years ago a secretly organized commission of inquiry to the several towns and cities of the south and west, by means of which the private and individual character, the pecuniary responsibilities of every merchant residing at a distance, perhaps of several hundred miles, was secretly inquired into, and, as they conceived, generally well ascertained. The information so obtained, also comprising every vague statement detrimental to the trader and his business transactions, that malevolence or the spirit of party may have set afloat, as well perchance of what was actually true and justifiable, was subse-

quently embodied in a report, of which several copies were printed, and privately circulated amongst those who contributed their funds to the original organization and support of this secret inquisition. Many a bright prospect has been dimmed and blighted in the outset by this proceeding; many a fair name, in the heyday of its prosperity, consigned to an unjust proscription by this treacherous and unequal procedure, that instead of serving its projectors, had contributed to work out its own defeat; and, in its further consequences, to well nigh impair the character and commercial reputation of their first and fairest city of the Republic. No sooner had the first whisper gone abroad in 1837, of the secret doings of this irresponsible junta, than the tide of business that sustained the New York merchants, in many of their wild and extravagant speculations, and gave them a monopoly of nearly two-thirds of the entire foreign trade of the country, began to divert itself into other channels, where it very probably would have continued, had not these very men, numbering amongst them some of the leading establishments of this city, and withal of the most prominent in these transactions, publicly disclaimed every connexion with them, and evidenced the apparent sincerity of their declarations, by the increased liberality of their subsequent dealings.

It is the general practice in hotels, throughout the United States, to require each passenger, or passing stranger, on arrival, and before that he is allowed to become an inmate of the establishment, to subscribe

his name, his usual place of residence, the place from whence he had just arrived, and to where he may intend going, in a book or registry, expressly kept for this purpose, and at all times open to public examination. The observance, though one sanctioned by long usage in the United States, is, nevertheless, somewhat repugnant to English notions of personal or individual freedom, to which every man is entitled, and that each should be permitted to enjoy, uncontrolled by a *surveillance*, or vexatious interference of this kind; an observance that is not even required by any subsisting police or municipal regulation, but continued for the mere gratification of a reprehensible curiosity, and upheld because of its universal and long-established practice. A southern or western merchant no sooner reaches New York, Boston, or other intended place of purchase, than his arrival is thus and immediately known, chronicled through the city, when, if by reference he is found to "pass muster," that is, is considered of sufficient solvency, he is immediately waited upon by a numerous bevy of agents, who crowd these hotels in wait for the latest comer, and who are in nowise restrained within any considerate or reasonable bounds, in their importunities and mode of seeking orders for the various mercantile firms they may represent. This duty is generally entrusted to young men of some talent, genteel appearance, and passing address, who in the business seasons, reside altogether as boarders at some one of these hotels. They are ever watchful and attentive

to their calling, their salaries in great part depending on the success attending their exertions; nor can they be sparing of the means usually employed in recommending their services to the passing trader, whilst a considerable proportion of the limited stipend they receive is expended in the purchase of tickets for the theatre and other places of public amusement, oyster suppers, and in various other modes, to which, amidst the competition of other establishments, they are compelled to resort. There is no way that a merchant or trader from the west can possibly hope to avoid this scrutiny, and the annoyance resulting from it, except by travelling under some other or assumed name, when, if discovered, his motives are immediately impugned, his objects misrepresented, and a strict watchfulness placed upon all his actions.

Though traders of all classes and professions, as well from the extreme north, the more distant south, or the far west, are to be met with at these two seasons in New York, Boston, Philadelphia, and other large cities on the Atlantic, it by no means follows that they all pursue the same mode of forwarding their business, or make their purchases at the same source. Perhaps in no other part of the world is so extensive a trade carried on through the medium of public auctions, as in the United States. It is almost incredible, the immense amount of property, the produce and manufacture of every portion of the habitable world, which is daily sold, or to speak more correctly, daily sacrificed, through this

frequently corrupt channel. Large consignments of British-manufactured goods, French and other fabrics are frequently submitted to the hammer, and, as we have often seen them, change hands for a considerably less sum than their original or first cost.

The trade of an auctioneer in America, where so large an amount of business is carried on through their agency, is always considered a very lucrative one. The appointment, in many of the states, is altogether vested in the local executive, and generally made, either on the application of some friend, or given to some partizan, and usually bestowed in requital of services rendered to the dominant party in the state, or for other more immediate personal considerations. It requires very considerable interest to procure the situation; the duties and responsibilities of which, the recipient may afterwards undertake, either by himself or by deputy using his name, or for his own, or for the use and benefit of any other person or party, as he may think proper.

In the state of New York (except within the city of New York) any citizen may sell at auction all such goods as are not subject to duties; but in the city of New York, or where the goods pay duties, the sale must be by an authorized auctioneer, or his partner or clerk. Persons selling contrary to this provision are deemed guilty of a misdemeanour.

The auctioneer of America, who is always of some importance in the intercourse and daily business-transactions of the community amongst whom

he resides, is necessarily a man of some intelligence, and would need to be of considerable information, both as to the state of the markets, the real or ascertained value of the property within his disposal, as well the solvency and variable position of the entire mercantile community within the sphere of his precise and very onerous duties; rendered the more necessary in the United States, where so large a proportion of the trading, or business of the country is based upon long credits. His method of transacting, or rather of driving through his daily business, is perfectly characteristic, and in keeping with the "go a-head" system of the entire people; is strictly mechanical, and altogether free from the bland and conciliatory manner, and exempt from that *naiveté* and occasional sallies of piquant and humorous wit, which so frequently distinguishes this class of "public men" with us. He is seldom at leisure, or can find time for the interchange of civilities, or even a passing joke, but hurries through his accustomed task with the same moody indifference to all else around, and with a perfect consciousness of the importance and many responsibilities that attach to his situation, and with that extravagant precipitancy that would seem to think, his success in deceiving his friends, or of disposing of his goods, alike depended on the rapidity and dispatch with which he may expedite this part of his diurnal duties.

Rumour has often interfered in detracting from the character of many of the parties engaged in this trade, particularly those located in the larger cities

of the seaboard, the more especially, when connected with similar or branch establishments in other or distant parts of the Republic, and through whose hands, or through whose agency, an incredible amount of property of every kind, especially of foreign goods, is in the habit of annually passing. Such men are seldom found to waste much time in descanting on the properties, or varied excellencies of any article subject to their disposal, which is frequently " put up," and " knocked down" almost in the same breath, to some imaginary or fictitious purchaser, and at such a price as will reasonably admit of the same article being soon after shipped or forwarded, on the said auctioneer's account, though generally in another name, to some one or other of his distant establishments, where its real value is very soon ascertained, and where, apart from the criminality of such proceeding, it seldom fails to realise a sufficiently remunerative price for whatever disagreeabilities or risk may be thus incurred.

The duties levied at these sales form a part of the indirect local taxation of several of the states, and are altogether exempt from the interference of the general government. In the city of New York, where a large amount of property is sold after this mode, a discriminative duty, of from one to two per cent. is exacted on all articles subject to United States' duty, the general aggregate of which tax, exceeds 150,000 dollars annually.

The manner in which the United States' duties are levied, on articles of foreign import, is altogether

dissimilar to our English practice. The moment that a cargo, or any lesser consignment of foreign goods may arrive in the United States, the import merchant, or consignee in the first instance, is required to pass bonds to the collector of the port for the time being, where such goods are entered, with two sufficient sureties for the payment, within four, and six months, from the date of such entry, for whatever duties, to which such goods may be liable, under the laws of the United States, irrespective of whatever time they may be brought into the public market for consumption or use. By this means, the import merchant is frequently enabled to force his goods, and realise upon the consignment, long anterior to the period he is required to account in payment of the bonds he had passed, which practice, though probably intended for the benefit of the importer, and of commerce generally, is frequently of injurious influence upon the general markets, affecting their regularity and fixedness, and often leading to the most improvident speculations, and the frequent sacrifice of property at these auctions, to mere nominal prices, besides encouraging into the country the refuse goods of almost every part of Europe, upon the chance realization of whatever they may bring, over and above their original cost and expenses.

But it does not always follow, that all property submitted at these sales, is of this inferior or secondary description. There are many, who forward consignments to the United States, in the expecta-

tion of securing, at least, a remunerative profit on their goods, and who select this mode, for their more speedy and certain disposal, than intrust them to the discretion of parties to sell for them on commission; sometimes holding them over for an interminable period, under the pretext of awaiting a more favourable state of the markets, but for the frequent purpose of accumulating costs, and other unnecessary charges, or of extorting from the exhausted patience of the consignor, an *ad libitum*, or discretionary authority in their protracted and final disposition.

The many frauds—the impositions resorted to under this pretext, even by the most respectable of American commission agents, some of them, within our own knowledge and experience, who seem to hold these digressions as of course, and as necessarily relevant to their immediate calling, are so very frequent, that we believe this latter mode to be seldom resorted to by those best acquainted with the peculiarities—the frequent trick and over-reaching of American trading, and who may not happen to be otherwise connected with some resident parties, or commercial firm, already established in the out-port to where their goods are sent, possessing a common interest in such property on its arrival, and who would be called upon to protect and watch its progress to its final disposal.

The very reduced prices at which all kinds of merchandise is usually purchased at these auction sales, which are not confined to the trade, but to

which the public are alike admitted, would naturally lead a stranger to expect a corresponding reduction on the same article, on its subsequently finding its way to the retail store: but this is not the case; an increase of 25, more frequently 50 and very often 75 per cent, is added to the usual first cost price of all such goods, in their transit to the possession of the retail dealer, to be accounted for in the spirit of American trading, that is seldom contented with moderate or reasonable gains, but seeks for inordinate profits upon every article of traffic within the bounds of legitimate dealing.

The *stores* of the principal cities, (for the ordinary designation of *shop* is unknown to American phraseology,) especially of the maritime or Atlantic states, that are now in a manner brought into close proximity with the cities of Europe, their habits and refinement, are generally commodious, tolerably well supplied, and tastefully fitted up. There are many of them, that would do credit to any of the fashionable thoroughfares of Bath, London, or elsewhere; but there is, to say the least, a vast dissimilitude in the manners of the people, and their mode of transacting or conducting business;—the general want of attention, or the least possible courtesy to strangers, sometimes bordering on downright rudeness, which, especially to a foreigner, is somewhat dissonant and unpleasant. They affect to despise resorting to the varied little attentions, so general, and well understood by shopkeepers in England, for the purpose of ensuring custom; and to believe,

that if indebted to the public for dealing with them, the public, on the other hand, are under greater obligations to them, for the accommodation it receives; and they generally assume, that every individual purchasing at their store must be fully impressed with this belief; or else, as we have frequently heard them repeat, "why leave their money with them?"

The trading spirit of America is diffused throughout all parts of its immense territory; it finds its way into the remotest districts of the north and south—the heretofore impenetrable fastnesses of the distant west. All—all are seized with the same spirit of mercantile adventure—the same desire of accumulating wealth, whilst in the appropriate language of a recent publication—"Farmers, mechanics, soldiers, sailors, lawyers, legislators, physicians, nay, sometimes even the clergy, indulge in mercantile speculations. Even politics themselves give way to the unusual desire of amassing money. The peculiar circumstances of the Republic, have conspired to foster this disposition. During twenty-five years that war impoverished and wasted Europe, commerce enriched the United States with a rapidity, and to an extent, unexampled in the history of nations. Since the peace of 1815 indeed, the diminution of their foreign trade and amazing number of insolvencies, ought to teach them to moderate their desire for wealth, and that extravagance of expenditure, far surpassing the rate of living among the corresponding classes in Europe."

Should the emigrant, intending to risk his fortunes in mercantile pursuits, follow the advice already given to him, of remaining some short while, on his arrival, in New York, he may find it advantageous to remove from his hotel into some respectable boarding house. These, he will learn, are numerous, and abound in the lower, or business part of the city; the demand or charge for boarding and lodging, varying according to the accommodation that may be required, from four to ten, and sometimes as high as twelve and fifteen dollars per week. Tradesmen, mechanics, labourers, &c. can secure good board and lodging from two, to three dollars per week.

The society which the emigrant will generally meet with, even in the most respectable of these houses, is probably neither quite so refined or polished in manner, or instructive or amusing in conversation, as he may be led to expect from his intercourse with the same class in England, and without he can speak on local politics—discuss with them every sudden change in their domestic views—extol their uncertain legislation—their ill-digested laws, as the perfection of human wisdom and government, or give encouragement to the distortion of the plainest fact, in the repeated slanders directed against his own country and its institutions, is in a manner excluded from their general subjects of conversation. The female boarders of these establishments, are seldom much improved by this mode of living together. They soon acquire a sturdy, rude and

masculine deportment—a kind of independence—*a manière*, in every way ill-suited to the general character, and inborn unobtrusive disposition of their sex, that often betrays them into an entire forgetfulness of the prescribed limits, the necessary rules and *formula* of good society, and those other observances, which are of the first charms of domestic life. They certainly possess but little of that retiring modesty—that ingenerate purity of manner, and witchery of demeanour, which is the peculiar and happy characteristic of the English female.

Besides the accommodation secured by these establishments, a stranger can always procure board and lodging with a private family, should he prefer their retirement, the peace and quiet of their domestic circle, to the noise, the medley of strange faces, and the frequent inattention to be met with in the crowded boarding-house. The daily papers of every large town or city are filled with notices where such accommodation is to be had, the parties merely requiring from the stranger a reference to some respectable resident, previous to his introduction. Here he becomes one of the family, and is required to accommodate himself to all their hours, usually confining himself to his own room, except at meal-times, or when he is permitted to digress from their generally assumed course, by some more formal or special invitation. Those who receive and take in boarders on those terms, are neither of the most independent in worldly means, or of the most respectable class; and though the practice in the interior of the coun-

try ma[illegible]ometimes originate in a desire to secure some addition to their society or domestic circle, is, in the large cities, more frequently occasioned by the straitened circumstances of the family, compelled to this resort for the mere purpose of sustaining themselves above the wants and necessities of the world.

Most writers on emigration to the United States, who profess to direct the emigrant in the course he should pursue on reaching its shores, endeavour to impress upon his mind, the numerous important advantages he will inevitably secure from an early and speedy naturalization; and which device is to constitute him an independent member of the great republican family. If by this conversion, the natural and individual dislike to him, as a foreigner, could be overcome, and that he would be admitted *de facto*, as he is entitled *de jure* to participate in the same advantages that are enjoyed by native-born Americans, then, by all means, let him in the outset, (should he so will it,) and as a preliminary to his further residence, abjure his country—forswear all that was English in his nature, and identify himself, if he can do so, both in spirit and reality, with a people, who too often look upon his advent, and arrival upon their shores, as an unreasonable intrusion upon his part, which they regard with the more jealousy, in proportion to the success that may reward his exertions and industry amongst them.

Still, we are free to acknowledge, that this right

of citizenship may, in some instances, secure him advantages, though seldom without producing many accompanying and it may be countervailing evils.

If that the emigrant purposes turning his mind to the purchase and culture of land, there are many of the states in which this preliminary is indispensable to his possessing property in the soil. As a merchant, he is deprived of the right of participating in the shipping interest of the country; and as a resident, is considered ineligible to hold any place or office under the state, or to exercise the right of voting at any of their numerous elections. The consideration to a farmer, or land speculator, is of sufficient moment to require his adopting a procedure of this kind, and to seek the means of acquiring naturalization on the first convenient opportunity after his arrival in the country, which he will be enabled to do, on following the instructions we mean to offer a little further on. The merchant or trader, on the other hand, has no occasion for this precipitancy, and may wait for the first year or two without any material prejudice to his interests, whilst all other classes of emigrants will consult their convenience and individual good, by discouraging such intention from the beginning, and abstaining from all interference with the political, or other institutions of the country, provided, that by such a course, they do not sacrifice the interests of children, or others who may succeed them.

The advantages to be secured by naturalization to this class of emigrants, as far as their influence

may extend, is merely nominal. It is true, that various situations in the state are thus thrown open to their ambition; but when, or where will the Englishman find one solitary instance of any place of trust, of honour, or emolument, being filled up from amongst his countrymen, who, notwithstanding the oaths and protestations to which they may give utterance, or any new shape or character they may assume, are, from the force of public opinion, at all times united on this point, together with the strong prejudice that exists against him as a stranger, still made subject to the same illiberal, unjust, and narrow-minded proscription, and debarred the enjoyment of the least advantage, by reason of this voluntary transmutation. Where his services are needed, and can be made of use to the commonwealth, there alone is the citizenship of the emigrant to be recognized, obliging him to bear arms for the protection of the state in which he lives, and in no country is the soldier's duty more onerous and vexatious—as also, to perform, when required, the office of juror, bailiff, and many others, oftentimes to his personal inconvenience, and of acknowledged detriment to his interests and general business.

The right to vote among the crowd, and to take part with the many in the choice of representatives, and other public officers holding their situations in gift from the "sovereign people," is of the privileges conceded to him by his naturalization. Should he in their further exercise, and under the influence of

a probable excitement become the least conspicuous, he is very soon marked out—his motives assailed, and possibly, the most invidious and illiberal construction placed upon his conduct. In a country such as America now is, "almost afraid to know itself,"—so altered in the governing principles of its constitution, and changed from a free, and federal Republic, to a fetid, impure, and uncontrolled democracy, that assumes to hold the right of absolute government in its own hands, and to exercise such right according to the mere caprice of its uncertain and variable will, such a privilege to a foreigner, possessing no possible interest in the local cabals or party strifes, with which American life is at all times associated, can be, we apprehend of very little value, and certainly, in no wise sufficient to outweigh the inconvenience, and many admitted disadvantages consequent upon its possession and exercise. As this, however, may be considered by many as a mere matter of taste, one, on which a diversity of opinion may be found to exist, we consider it in place, to submit the following compendium of the present existing laws of the United States in relation to this subject, as also the most approved course to be adopted by the emigrant in acquiring citizenship, should he in his judgment choose to adopt it.

The steps to be taken by a foreigner preparatory to, and for the purpose of being naturalized, are these:—

1*stly*—He must, at least five years before he can be admitted a citizen of the United States, report

himself at the office of one of the courts of record within the state or terrritory where he may be, and in that report set forth his name, birth-place, age, nation, and prior allegiance, together with the country he has left, to come into the United States, and the place of his intended settlement. In general, forms of this report will be furnished by the clerk of the court, who will also give a certificate under the seal of the court, that the report has been made and filed. This certificate must be carefully kept, for the purpose of being produced at the time of application for admission to citizenship.

This step of reporting one's arrival, is indispensable, and ought to be taken as soon as possible; because the five years of probation begin to be counted only from the date of such report, and the time that the foreigner may have previously spent in the country cannot be rendered of any service towards his naturalization.

2ndly—At least, three years before the alien can be naturalized, he must appear before one of the courts of record within the state or territory where he may be, and there declare on oath, or affirmation, that it is in good faith, his intention to become a citizen of the United States,—to renounce for ever, all allegiance and fidelity to any Sovereign, Prince, Potentate, State, or sovereignty whatsoever, and particularly by name, to the Prince, Potentate, State, or Sovereign, whereof he may at the time be a citizen or subject. This oath or affirmation, which must have been made at the least, three years

before admission to citizenship, may be made at any convenient time, after the report of arrival: indeed, it is sometimes made on the same day, so as to save the trouble and prevent disappointment from future negligence or forgetfulness. For another reason that is pointed out, the sooner that it is done the better. The clerk of the court also gives a certificate, that this oath or affirmation has been duly made, which like the former must be carefully kept for the purpose of being produced at the time of applying for naturalization.

3*rdly*—At this period, the applicant after producing both of these certificates, must declare on oath, or affirmation, before one of the same courts, that he will support the constitution of the United States. He must also satisfy the court, which cannot be done by the applicant himself, and is usually done by the affidavits of two respectable citizens, who know, and can testify to the facts, that he has resided within the United States five years at least, and within the state or territory where he applied to be admitted, at least one year, and that during that time he has behaved as a man of good moral character, attached to the principles of the constitution of the United States, and well disposed to the good order, and happiness of the same. The clerk will thereupon make out a certificate of the naturalization under the seal of the court, which should be carefully kept, and ready to be presented whenever it may be required.

Congress has extended the benefit of this admis-

sion to citizens, beyond those who perform these re quisites, for the children of a person so naturalized, being under age, and dwelling in the United States at the time of their parents naturalization, also become citizens; and still further; if any alien who shall regularly have reported himself, and made oath or affirmation, declaratory of his intention, (which as we have pointed out must precede his own admission by three years,) should unfortunately die before that he was actually naturalized, his widow and children would from thenceforth be considered as citizens of the United States, and be entitled to all the rights and privileges as such, on taking the oaths prescribed by law. This provision therefore, furnishes a very strong inducement to those who believe they secure any advantage by naturalization, to lose no time in taking the oath declaratory of the parties intention.

A person, thus duly naturalized, *becomes entitled* to all other privileges and immunities of natural-born citizens, except, that a residence of seven years is requisite, to enable him to hold a seat in Congress; and no person, except a natural-born citizen, is eligible to the office of Governor in some of the states, or to the office of President of the United States.

We also take from the same eminent authority from which we have condensed the preceding observations,* a brief abstract of the law of the United

* The late "Chancellor Kent's commentaries on American Law."

States relating to aliens within the territory of the Republic, and which forms an instructive and necessary accompaniment to the foregoing: it points out—

An alien is a person born without the jurisdiction of the United States. There are some exceptions however to this rule, both by English law, and statute regulations in America. By the English law, the issue of public ministers abroad, and children born abroad of English fathers are considered as natives; but it is essential in the latter case, that the father should go and continue abroad in the character of an Englishman. By an Act of Congress, it is declared, that children of parents duly naturalized, under the laws of the United States being under the age of 21 years, shall, if dwelling in the United States, be considered as citizens; and by subsequent statutes it would seem sufficient for the father to be naturalized.

An alien cannot acquire a title to real property by descent, or by any right created by any other mere operation of law; but he may purchase land or take it by devise, though he is in danger of being divested of the fee and leaving his lands forfeited to the state, and if he dies the inheritance escheats of course. He may sell land to a citizen, and the conveyance is good as against himself, but the purchaser takes it subject to the right of the government to seize the land.

The better opinion is, that aliens may take a lease for years, and they are capable of acquiring, holding

and transmitting moveable property. Even alien enemies, lawfully resident in the country, may sue and be sued as in times of peace. An alien may take a mortgage upon real estate by way of security of a debt, but it is doubtful if he may become a valid purchaser of the mortgaged premises, sold at his instance.

During the residence of aliens in America, they are considered to owe a local allegiance, and are equally bound with natives to obey all general laws for the maintenance of peace and the preservation of good order, and which do not specially relate to American citizens. If they are guilty of any illegal act, or involved in disputes with the native citizens, or with each other, they are answerable to the ordinary tribunals of the country.

If an alien dies before that he has taken any steps under the act of naturalization, his personal estate goes according to his will, or if he dies intestate, then according to the law of distribution of the state of his domicile at the time of his death.

The statute laws of the different states relating to aliens, may vary considerably in their purpose; and as some knowledge of their provisions may be useful information to the emigrant, we submit the following epitome of those in force within each state as well as they can be ascertained, as regards the right of aliens to hold or convey property within their several separate jurisdictions, and that modify or control to any extent the statutes of the Federal government in this respect. But the privileges con-

ceded to aliens, under the laws of the several commonwealths, are of a strictly local nature, and do not extend to any other state, or beyond the limit of the particular state, where such laws may have been passed.

The State of *Maine*.—Any person who has purchased real estate during alienage, and afterwards becomes naturalized, is entitled to hold and dispose of the same, in the same manner as if he were a natural born citizen; and any alien who files in any court of record a declaration of his intention to become a citizen of the United States, and afterwards, before the expiration of three years, dies, not having been naturalized, if such alien during the three years becomes seized of any real estate, it descends to his heirs, or may be disposed of by will in the same manner as if he were a citizen.

Alienage in the widow of a citizen, is no objection to the receiving dower, nor is it any impediment to any person claiming a distributive share of personal estate, at issue, widow or otherwise.

Vermont.—By the onstitution of this state, it is provided that every person of good character who comes into the state and takes an oath of allegiance to the same, may thereupon purchase, and by other just means acquire, hold and transfer land; and after one year's residence, become entitled to all the privileges of a natural born citizen; except that he is not capable of being elected Governor, Lieutenant-Governor, Treasurer, Counsellor, or representative in Assembly, until after two years' residence.

Massachusetts.—The alienage of a woman does not bar her right to dower, except as to land conveyed by her husband or taken from him by execution, previous to February, 1813. With respect to aliens claiming a distributive share of personal estate, the law is the same as in Maine.

On the death of an alien, administration of the estate, if there be no widow or next of kin in this state, is granted of right to

the consul, or vice-consul of the nation, to which he belonged, if there be any in this state.

When any person is disabled to prosecute an action in the courts of this commonwealth, by reason of his being an alien subject, or citizen of any country at war with the United States, the time of such war is deemed no part of the respective periods, limited by the statute for the commencement of suits at law.

Connecticut.—The superior court, on the petition of any foreigner who has resided in the state at least six months, may empower such person to receive and hold land for all purposes, and in the same manner as if he were a natural born citizen.

No person who is not an inhabitant of this state, or of any of the United States, who comes to reside in any town in this state, gains a settlement in such town, unless admitted by a vote of the inhabitants or consent of the civil authorities and select men of such town, or unless such person is appointed to, and executes some public office.

New York.—Aliens are enabled to take and hold lands in fees and to sell, mortgage, and devise, but not demise or lease the same, equally as if they were native citizens, provided that the parties had previously taken an oath, that he was a resident of, and intends always to reside in the United States, and become a citizen thereof as soon as he could be naturalized; and that he had taken the incipient measure for that purpose. The power to sell, assign, mortgage, and devise real estate, is to continue for six years from the time of taking the oath; but the alien is not capable of taking or holding any lands descended, devised, or conveyed to him, previously to his becoming such resident, and taking the oath above mentioned; and if he dies within the six years, his heirs being inhabitants of the United States, take by descent, equally as if he had been a citizen.

If an alien sells and disposes of any real estate which he is entitled by law to hold, and dispose of, he may take a mortgage for the purchase money, and may become a repurchaser on a sale made to enforce payment.

Aliens holding real estate by virtue of these provisions are subject to duties, assessments, taxes, and burdens, as if they were

citizens; but are incapable of voting at any election or of serving on any jury, or of holding any civil office.

Alienage of an ancestor does not affect the inheritance; nor is it any impediment to a widow's receiving dower, if she be a resident of the state at the time of the death of the alien.

Every devise of any interest in real property to a person who at the time of the death of the testator was an alien, not authorised by the statute to hold real estate, is void.

An alien, who has not taken the preliminary measure to entitle him to naturalization, is not competent to serve as an executor.

The limitation Act, as far as it affects alien enemies, is not in force during the continuance of war with this country.

New Jersey.—In many respects the restraints upon aliens holding real estate, is entirely removed in this state.

Pennsylvania.—Alien friends may purchase lands, tenements, and hereditaments within this commonwealth, not exceeding five thousand acres, and may have, and hold the same, as fully to all intents and purposes, as any natural born citizen may do, they may also acquire, take, hold and dispose of real estate, by descent, or devise, in as full and ample a manner as the citizens of the state.

Delaware.—Aliens resident in this state, having made a declaration according to law, of their intention to become residents of the United States, are capable of holding and aliening lands; and on the death of such aliens, if residing in the state, although aliens, may take lands by the intestate law, equally with citizens; but those who do not thus reside, are passed by, and the effect is the same as if they were dead.

On the death of an alien, his personal estate is distributed like that of a citizen, and it is no impediment to the kindred of an alien, or other intestate, that they are aliens.

Maryland.—Aliens actually residing in this state, may take, hold, and dispose of real property as if they were citizens, provided that every male alien who thus has an interest in real estate, shall within one year after the acquisition of such real estate, make a declaration according to the laws of the United States, of his intention of becoming a citizen thereof, and shall

within twelve months after his being capable of his becoming a citizen, naturalize himself.

If such alien die within the time required for making the declaration of his becoming a citizen, or of being naturalized, then his lands descend in the same manner as if he were a citizen; but if it falls to a male descendant he takes them on the same condition as the original holder.

The heirs of any alien holding any real property, may have and hold the same in like manner as citizens, but they must, if male, take it on the same conditions as the original holder.

If an alien, holding lands, neglects to make the declaration, or to become naturalized, all conveyances made by him are as good as if he had complied with the law; and where naturalization is not obtained by fraud, if there be any defect in the proceedings, such defect does not invalidate any conveyance which the alien may have made.

Virginia.—Alien friends who come into the state, and make a declaration before some court of record, that they intend to reside therein, are capable of taking, holding, and disposing of lands, in the same manner as if they were natural-born citizens; and in case of the death of such aliens, their lands descend to their heirs, whether aliens or citizens. But the person to whom such land is aliened or devised, or shall have descended, must come to reside in the state, and make declaration of their intention so to do, within five years after such alienation, devise, or descent.

South Carolina.—In this state there are statutory provisions in favour of aliens, similar to those of New York.

Georgia.—Alien friends, who enroll their names in the office of the clerks of the superior courts of the county where they propose to reside, may hold, sell, and devise all kinds of personal property, and rent houses and lands from year to year, and have the right of suing for all debts, demands, or damages, other than for real estates.

When a citizen dies possessed of real estate, and leaves no heirs but aliens, the executor or administrator sells the property, and pays over the proceeds to the legal representatives.

No alien shall be appointed executor or administrator.

Tennessee.—When any person dies intestate, without issue, and possessed of any estate real or personal, it descends to such persons as are next of kin to such deceased person, and resident within the United States, to the perpetual exclusion of aliens who may be related in a nearer degree.

Kentucky—Alien friends, who reside in the commonwealth two years, may, after that period, during the continuance of their residence, receive, hold, and pass real estate, in the same manner that citizens may do.

Indiana.—Alien friends may hold lands the same as citizens, by making a declaration, according to the laws of the United States, of their *bonâ fide* intention of becoming citizens thereof.

In *Ohio*, *Illinois*, *Michigan*, and *Louisiana*, the disability of aliens to take, hold, and transmit real property, seems to be entirely removed. But aliens, not domiciliated in any part of the United States, are subject to pay to the last-mentioned state, ten per cent. on all sums that may be due to them as heirs, legatees, or donees, by any succession that may be opened in the state.

In *New York*, *New Jersey*, *Maryland*, *South Carolina*, *Georgia*, aliens may take mortgages of real estate; and in *New York*, *Virginia*, *Kentucky*, and *Michigan*, there are statute provisions that, in making title by descent, it shall be in bar to a demandant, that any ancestor through whom he derives his descent from the intestate, is, or hath been an alien.

The advantages of naturalization to those who propose to lay out their money in the purchase of land, or real estate, is sufficiently obvious to preclude the necessity of further observation on this head. But we cannot close our eyes to the fact, the acknowledged truth, that of the many thousands who migrate to the United States, how very few in reality are enabled to avail themselves of the indulgence which the naturalization laws are supposed to extend to them, and how small the proportion of those who reach, even to a state of mediocrity in

their worldly circumstances, much less to affluence or independence, to whom this assumed liberality is at best a vague and uncertain good, though very often of admitted and countervailing evil.

CHAPTER IX.

The selection by the Emigrant of a particular trade or calling—Course recommended—Business dealing in the west—City of New Orleans—Its great commercial importance—Its annual exports—Commanded by the Island of Cuba—Importance of this island as a territorial acquisition—Climate of the United States—Its extreme variation—Controlled by the prevailing winds and other causes—Doctor Rush and late President Jefferson on the American climate—Bank accommodation and money brokers—Frequent destruction of property in the United States by fire—Fire department—Its organization—Insurance companies—Want of capital and general insolvency—Remarks and parting advice to the merchant—Observations on the general misstatements of Americans on all matters of national concern.

PRESUMING the emigrant to have already lodged his money in some place of security—in the government funds, or elsewhere, and to have followed the suggestions that we have submitted, by which to regulate his conduct with his fellow-boarders, he will be enabled by inquiry, and his own observation, and provided that he has not already made up his mind, or decided the question, to determine the business calling most advantageous for him to pursue. This being dependent on so many local and fortuitous circumstances—his own aptitude and peculiar capabilities, together with the resources at his command, which it were impossible to anticipate, that no fixed rule can be well laid down for his future guidance and instruction; or that could obviate the necessity

for the further exercise of his own judgment. If he should embark himself in trade, in New York, Boston, Philadelphia, or in any other of the large commercial cities, he will have to contend with many difficulties in the experience—the peculiar aptitude and industry of his contemporaries—his numerous competitors in the same pursuit, who, somewhat better instructed than he is, in the habits and customs of the people—their mode of trading or transacting business, so different in many respects to that which he has been accustomed to, will possess many advantages that are denied to him as a stranger. The delay recommended to him on his arrival is therefore all important and necessary in leading him to a discreet and prudent selection of whatever he may determine shall be his future pursuit. Nothing is so detrimental to the future prospects of foreigners generally, as the breathless haste with which so many risk their all, in frequent and ruinous speculations, that too often leave them pennyless before that they have had time to reflect on their rashness and precipitancy. There is no time that the emigrant can turn to better account, than the first six or twelve months subsequent to his arrival, and which may be profitably employed in acquiring such a full and accurate knowledge of the country—the modes of life and general business habits of its population, as may subsequently enable him to commence in some useful and profitable branch of trade, or manufacture, with at least some comparative degree of safety to himself.

If the emigrant is successful in forming connections with a mercantile house of standing and respectability in New York, or in some other of the large seaport towns, of easy communication with the interior, whose acknowledged character may present some guarantee for their general good faith and honourable dealing, he will always find it more conducive to his interests to locate himself somewhere inland, and will probably succeed better in the interior, or western sections of Pennsylvania, Maryland, Virginia, or other more southern, or western states, than in any other. In many of these situations, money is not in such free circulation, or quite so abundant, as in the eastern or sea-board districts; while his principal trade, especially farther west, will, in all probability, be carried on by barter, than by receiving cash payment for his goods. But even this mode of merchandising, if skilfully conducted, will present him with many countervailing advantages; whilst he may count on a double return, first, on the goods of his general trade, and next, on the produce he will receive in payment, in its judicious application, or when subsequently forwarded to its final destination. It is in this manner that a large proportion of the flour, cotton, tobacco, naval stores, and other staple products of the south and west are shipped to European and other markets, principally on account of New York, Boston, Philadelphia, and Baltimore merchants, who frequently receive it at its usual marketable value, in payment of their supplies to the inland trader, for all general

and imported manufactured goods, sugars, wines, teas, &c. &c.

A situation that commands a ready access to the sea-board is therefore, all important to the merchant's future success; while the vast improvements of late years in all internal means of communication, has so facilitated the opportunities of transport, that he can never be at a loss on this account, or lack means, or ready opportunity, at nearly all seasons, of forwarding his goods to the most advantageous market—those from the northern and midland states, by the outlets of Boston, New York, or Philadelphia, and of the southern and western states of the Republic, by the Ohio, the Mississippi, and their confluent streams, by the important commercial city of New Orleans.

This city is the capital of the state of Louisiana, and entrepôt of the south, generally. It is also the principal port of entry in the Mexican Gulf, as also the great place of export of all produce of the south, and a large portion of the extensive territory of the west. It has risen of late years to a degree of extraordinary prosperity and is now considered, the second port in commercial importance in the United States. The land on which the city is built, is considerably lower than the adjoining river of the Mississippi, and is backed by an extensive swamp, which renders the climate most unhealthy, except in the winter season, when it is usually crowded with strangers of every grade—visitants from all the nations of Europe, as well the enterprising natives

of the eastern and northern states of the American Republic. Several of the Boston and New York merchants, continue branch establishments in this city, where they visit and carry on a lucrative trade, for at least four months in each winter season; returning on the approach of summer to New York, &c., as their principal head quarters. The exports of Louisiana, of which New Orleans is the principal outport, for the year ending September 30th, 1840, amounted to the sum of 34,263,963 dollars, of which 32,998,059 were of domestic produce. The population of this city in 1840, amounted to 102,193 inhabitants.

The extreme rapidity of the current of the Mississippi river, and consequent difficulty of ascent, has heretofore operated to some extent to the disadvantage of New Orleans, and detracted from its situation as a commercial place of import. But these objections have been partially removed, by the application and use of steam-power. The first steam-vessel that appeared in these waters was in 1816; in 1834, upwards of three hundred were employed in navigating this gigantic river, and the several others that are tributary to it. The number has annually increased to the present day.

As the population enlarges to the westward, so also in a direct ratio will New Orleans advance in commercial prosperity and greatness; being to these extensive districts, what Liverpool may be considered in relation to Manchester, Birmingham, Leeds, Sheffield, and the other middle and manu-

facturing towns and districts of England. Indeed, when we consider the immense territory already under cultivation, as well the additional country annually brought into use by further settlement, the produce of which can alone conveniently reach the Atlantic by this outlet, it is by no means improbable that at a future day, and at no very great distance of time (allowing for the rapidity of change in all things appertaining to America), that this city and port will far outrun all others in the United States, in the extent of her foreign trade,—the value and importance of her inland or domestic intercourse.

There is included in the large amount of shipping connected with New Orleans, regularly appointed packets sailing to all the principal out-ports of the Republic. The route to any of the Atlantic cities is, nevertheless, circuitous, and the passage sometimes very tedious. The time usually occupied in a voyage to New York, in vessels of from five to six hundred tons burden, is generally from twenty to twenty-five days.

The immense and hourly increasing importance of the trade of this port, now the main outlet for the staple products of southern and western America, is fully appreciated by the general government; as, indeed, by every intelligent citizen throughout the Republic. Care is taken to keep an efficient squadron of men-of-war at all times cruising in the Gulf of Mexico, to protect the national interests in

these seas, and through which New Orleans is approached from the Atlantic.

The windward passage, as well as the entrance to the Gulfs of Mexico and Florida, is in a great degree commanded by the island of Cuba, the largest, as well as the most important, of the Antilles, and the oldest Spanish settlement in the western hemisphere. It is considered, from its geographical position, the key to the West Indies and Mexican Gulf; its length 700 miles, its medium breadth about 70; with a population nearly approaching to 900,000 of all colours.

The future possession of this island, by whichever nation, into whose hands it may eventually pass, is even now a matter of speculation, and of considerable apprehension to the United States. There is no sufficient value, in American estimation, that could be attached to its possession as a territorial acquisition; and could it have been purchased, or otherwise acquired, would long since have formed an important and valuable accession to the Republic; provided, we will admit, that Great Britain were so indifferent to her own interests as to sanction the annexation, of which it is reasonable to suppose she would, if it were in anywise practicable, have gladly secured to herself. The possession of this island, by any nation at war with the United States, would enable her, in great part, to control the entire foreign and domestic trade of the southern and western states of the Republic.

Cuba, on its own intrinsic account, would be an acquisition of great value to any country; though only a small proportion of the island has as yet been reclaimed, or cultivated. It is, nevertheless, one of the most fruitful and salubrious of the West India Islands, and, probably, all things considered, the richest in the world. Gold was formerly found in this island, and copper and iron abound. It is famed also for mineral waters and salt springs. Its chief wealth is derived from its sugar plantations; coffee is its next most important product. Its tobacco is the best in the world. It abounds in trees, among which are many fitted for ship-timber. Bees have multiplied to a great extent. Cattle, as in New Spain, have become wild in the woods, and are killed for their hides and tallow. The people are active and enterprising, and the revenue, formerly reckoned at 2,000,000 piastres, is now much more than double that sum.*

A very considerable trade is carried on between Cuba and the United States, principally in sugars, tobacco, and coffee. These exports, average from twelve, to twelve and a half millions of dollars annually; imports from the United States, from six to seven millions; leaving an excess of exports over imports, in favour of the Island, of about six millions annually.

Common assent—the opinion of the world, has already in anticipation of the coming change, limited

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* Bishop Davenport.

the power of Spain over this last of her American possessions, to probably a few years longer; when it is difficult to surmise its ultimate destiny, or the position it is fated to occupy in the western hemisphere. The near proximity of San Domingo, which presents an encouraging example for its imitation, with the aspirations and desire of individual freedom inherent in the human mind, can scarcely be wanting in their influence upon so large and extended a population of the coloured race, impelling them to some effort for their manumission and independence, though it may be, of problematical and doubtful result.

It were hardly reasonable to suppose that the United States, while encouraging slavery within the entire southern limit of her own territory, could look unmoved, and patiently witness the successful consummation of a struggle of this kind, between the European and coloured races, so near to her own shore, without the most serious and painful apprehensions as to its ultimate consequences, in the event of its success; affecting her entire social organization and government, and aiming at the very foundation of her commercial prosperity and well-being. But the country is alive to these apprehended difficulties, and we hazard little in stating, is fully prepared to take advantage of any positive, or fortuitous circumstances, that may connect at a future day, this important island with its present confederacy.

It may be interesting to the general reader to

learn the opinion that in Spain is entertained on this question, and which is ascertained, not so much from the public journals, that seldom accord with public opinion, as from the debates to which the subject has given rise within the legislative chambers. We submit in elucidation, the following translation of the speech of the Deputy Sancho, delivered by him in the Cortes, 1st April, 1837 :—

" If, gentlemen," (declared the Honourable Deputy) " the island of Cuba should cease to be Spanish, it must belong to the negro; it cannot come under the power of any other nation, because, first, there is no nation powerful enough to subjugate 400,000 negroes, who, under the tropics shall say,—' we will not be governed by you' ; second, because, if another nation should attempt to take possession of it, some rival power would oppose the design. In strict truth, and without the figure of speech, the island of Cuba is the key to the Gulf of Mexico, and no other than a great maritime power could take possession of it, and what power would consent to such possession ?

" Let us state the question as between England and the United States, since the former holds the sceptre of the seas, and the other is a maritime power in the neighbourhood of the island.

" Could the United States consent that England should own the island of Cuba ? In addition to the fact, that Cuba is the key to the Gulf of Mexico, we must keep in mind one important circumstance. It is well known that the coast of America in that

quarter has but very few ports. The island of Cuba on the contrary, may be said to be one whole port. It has thirty-four good harbours, and of these, fifteen are capable of containing large squadrons. This is a sufficient consideration to prevent t falling into the hands of a maritime power. Besides this advantage there is this, that Cuba furnishes ship timber for any quantity of vessels.

" Would England allow the United States to take possession of Cuba? England, as the mistress of Gibraltar, has divided the forces of Spain and France; as mistress of the Ionian Islands, she commands the Adriatic; and with the Cape of Good Hope, she holds the key of India. Would she then permit Cuba to be held by a third power?

" Long and protracted wars, with great effusion of blood must happen, before this would take place. The United States would not consent to this change of masters, so soon as Great Britain. We all know that the rivers emptying themselves into the Gulf of Mexico, flow from the mountains of the United States. In their valleys is growing an immense population. All the productions of those countries have their *debouche* at New Orleans, which is the principal port of commerce on the Gulf of Mexico. If the United States should consent to the occupation of Cuba by Great Britain, it would be as if a merchant should send the key of his money chest to another person, and say, you are the master of that chest.

" There is no alternative, gentlemen—the island

of Cuba must remain under Spanish protection, or it must be abandoned to itself. If left to itself, it must become a *negro* government. The effeminate and enervated whites would not be able to oppose the negro population in that burning climate.

"It may be said, that the whites possess wealth and knowledge. They possessed them also in Saint Domingo. But of what avail are wealth and knowledge when opposed to brute force; when the question is one of exposure to the climate—of bearing fatigue to which the slave is accustomed, and of suffering the heat of the sun, of which the negro declares himself to be the child; what would be the result? the whites would be subdued as they were exterminated in Saint Domingo."

It may be premature to enter on the consideration of the various matters noticed in the Honourable Deputy's observations, however we may dissent from some of the propositions they contain. Whether the Island of Cuba may eventually become British or American, is out of the reach of our present inquiry, though scarcely beyond human foresight to predict, under existing probabilities, and by which the fate of nations are sometimes prejudged. The very questionable advantages assured to Saint Domingo in her present position of moral and political debasement, are scarcely those, to encourage the coloured population of Cuba in a struggle for self-government, or beyond an effort for their manumission and release from the bondage

of their present condition. A change from the colonial despotism of Spain, to the simple republicanism of the United States, would ensure no other improvement or amelioration in the temporal situation of the unhappy negro, than that which a change of task-masters might promise to him. The possession of Cuba by the United States could only co-exist with the perpetuation of slavery throughout every part of its enlarged territory, producing a state of internal being, that could scarcely result from any popular movement of successful termination. The same objections would in no way apply to England, or to British rule, that has already, and of her own accord, and as a homage due to human liberty and civilization, made free at heavy sacrifices, the entire of her colonial slave population, and by other means improved the moral and worldly condition of this long-abused and persecuted portion of the human race. Should the time ever arrive when the coloured population of this island may have to determine their fate between the continued slavery of the United States, and the enlarged freedom secured under British protection and rule, we hazard little in anticipating the side, to which a preponderance of inclination and choice would eventually lead them.

We have already endeavoured to impress upon the emigrant's attention, the necessity of a careful watchfulness over his health, and of assimilating his constitution to the sudden and variable temperature of the climate, guarding against those extremes of

heat and cold so peculiar to this continent, and unlike to the same parallel of latitude in any other part of the world.

It is this, which renders the climate of the United States—its uncertain and frequent changes so generally insupportable, and hurtful to the European constitution, in which we trace the origin, or chief cause of those severe pulmonary complaints, so prevalent, and unfortunately so fatal, throughout the eastern and maritime districts of the Republic. The published lists of mortality in the cities of New York, Philadelphia, and other sea-board towns, assert, one-third at least of the entire casualties or deaths, to proceed from this destructive and insidious complaint.

These extremes of climate, are much nearer, and much greater in the northern states, than approaching southward, or nearing the tropics; assimilating, either to the frozen atmosphere of a Norwegian temperature, or to the oppressive and scorching heat of an African desert, whilst a sudden change from 20 to 25 degrees of Fahrenheit, is no uncommon occurrence within the twenty-four hours. The mean temperature of the year, according to Humboldt, is nine degrees lower at Philadelphia than in the corresponding latitude in Europe. But this estimate scarcely approaches the reality, as a much greater dissimilitude is observable on a near analysis;—for example,—Rome, which is situate in 41° 53′, the greatest cold throughout the year is 32°—the greatest heat 86°; whilst taking Salem, in the State of Massachusetts, nearly in the same latitude, or

42° 35′, the greatest cold is 12° *below* zero, in the winter months — the greatest heat in summer is 103°, making a difference in the extremes of the former of only 54°, and in the latter of 115 degrees.

In the eastern, or north-eastern states, corresponding to the latitude of the south of France, the ground is for several months in each season covered with a bleak and impenetrable snow, with the thermometer ranging to about 20 degrees *below* zero. So in like manner, in the Canadas, in 46° and 47° of latitude, corresponding to the middle of France, the snow season continues for about six months in each year, with the thermometer frequently 32 degrees *below* zero. The north-west winds traversing a vast expanse of frozen surface, imparts an intensity and dryness to the winter season, most injurious to human health; whilst the south-east wind, on the other hand, is said to produce on the Atlantic coast, the burning effects of the eastern sirocco, and to which the south-west winds to the eastward of the Alleghanies are in great part assimilated. The heat is frequently oppressive and suffocating.

The middle states of Pennsylvania, New Jersey, Maryland, including also a part of New York, suffer less, as we have observed, than the more northern part of the American continent; the snow is not so severe, and continues for a much shorter time upon the ground. The winters, nevertheless, are extremely rigid, the thermometer descending to 15 and 16 degrees, and frequently so low, as 4 and 5 below zero; and this at Philadelphia in the

fortieth degree of latitude, answering to the meridian of Madrid, Naples, &c. In the winter of 1834, and '35, a part of which time we were in the state of Pennsylvania, the cold was so excessive that the Delaware River, which usually runs at the rate of six miles per hour, was frozen over in the short space of twenty-four hours. This river is also said to have been frozen some few years ago, and with such intensity, between the hours of ten in the evening and eight in the following morning, "as to have borne the weight of several persons, and in such sudden conversion of a liquid into a solid, as to cause a vapour to arise in great abundance from the surface, so as to excite the idea of a supernatural phenomenon."

The heat, on the other hand, in New York, Philadelphia, and other parts of the midland states, preceding the summer solstice, is so very severe, so exceedingly oppressive and debilitating to the human system, as to nearly exhaust the animal faculties, or at least to preclude any reasonable exertion for several successive hours in each day; when all who can possibly do so, remain within doors; the thermometer, at this season, frequently exceeding 90 degrees, and sometimes ranging beyond 100 degrees of Fahrenheit.

This extreme of heat and cold is by no means so excessive in the southern states of Virginia, Georgia, the Carolinas, or when approaching nearer to the tropics. In the West Indies, the annual variation scarcely exceeds from thirty to thirty-five degrees.

We have for some time resided in these islands, also on the South American continent, and nearly under a vertical sun, and can aver, we have never experienced the same inconvenience from heat or climate, to which we have invariably been subject in the northern and midland states of America. The European constitution in the West Indies is much better protected from the sudden and violent vicissitudes of temperature, so very peculiar to the northern Republic; while the sea-breeze, which continues in the same direction throughout the year, extends its seasonable and assuasive influence in restraining the temperature within a limit that very rarely exceeds, at any season, 92 degrees in the shade.

Not only do we find these extremes of heat and cold far greater on the American continent than in similar latitudes in Europe, but more sudden in their severe and frequent transitions. Doctor Rush, in his observations on the climate of Pennsylvania, remarks, that "it is composed of all climates under the sun; the humidity of England in the spring, the heat of Africa in summer, the sky of Egypt in autumn, and the cold of Norway in winter; and, what is much worse, sometimes the occurrence of all in one day. In the course of our winters, especially in January and February, it frequently happens that there is a variation in the space of eighteen hours, of twenty or thirty degrees from cold to heat, and heat to cold, which have the very worst consequences on health. The greater the

heat at mid-day, the greater is the fall of the mercury at break of day; the two extremes of diurnal heat and cold in all climates. In one summer it fell nineteen degrees in an hour and a half."

These remarks as to Pennsylvania, are also applicable to the states of New York, New Jersey, Maryland, Virginia, and the two Carolinas. Instances have been known in Charleston of a variation of temperature in the summer season, and in the short space of fifteen hours, of forty degrees of Fahrenheit.

It is equally remarkable that the degrees of temperature considerably vary in the same parallel of latitude, even in America. The late Thomas Jefferson, formerly President of the United States, in his published remarks on the climate of his own state (Virginia), and of the North American continent in general, observes :—

"It is a remarkable circumstance, that going from east to west under the same parallel, our climate becomes more cold in proportion as we advance west, in the same manner as if it were north. The observation applies to any one coming from any part of the continent situated to the east of the Alleghany Mountains, until he reaches their summit, the highest ground between the ocean and the Mississippi. Thence, always keeping the same latitude, and advancing west as far as the Mississippi, the case is altered; the climate becomes hotter than it is to the east upon the coast in the same latitude."

Yet are the countries lying to the west of the Alleghanies considered infinitely less unhealthy than nearer the Atlantic; dependent, as they are ascertained to be, on other than their mere latitudinary position, for whatever may be their peculiar advantages in this respect; such is, no doubt, controlled by other prevailing circumstances. The south-west wind, in these remote regions, brings rain with it, as on our own coast, while similar effects are produced by the north-east winds beyond the range of the Alleghany Mountains. On the other hand, the north-east wind, which covers the entire Atlantic coast of America with a dense fog, and frequent rains, is as remarkable for its aridity on the banks of the Ohio and Mississippi. In short, it is to the country, its soil, its peculiar features, its state of cultivation or improvement, its wide and yet uncleared wastes, its immense forests, its proximity to the sea, from which continued exhalations arise, and are carried over so large a portion of its immense territory, that we are to attribute these changes, and to find an explanation for the otherwise apparent inconsistencies in this most variable of all variable climates with which we are in the least familiarized.

The scene of the emigrant's first operations will possibly be in some one of the interior states removed from the seaboard. This change he will find of advantage, tending also to a more uniform practice in his hours and mode of living, than he could hope to pursue in the larger cities of the

Atlantic. It is by slow and steady progress only he can expect to succeed in the very arduous task he has undertaken, husbanding with a proper and prudential care whatever pecuniary resources he may possess. These, once gone and dissipated, there is no sympathy or friendship on which he can rely, or that he can expect will assist him in regaining any position he may have lost, either by his own imprudence, or that which he has equally to guard against, the chance difficulties and embarrassments of others. Friendship with beneficence is a commodity of rare finding in the United States, that can only be purchased by continued and heavy sacrifices, and by yielding a full equivalent in exchange for any advantages it may present.

We have endeavoured to explain, in a preceding chapter, the character and principal features of the American banking system, hoping to guard the emigrant from a too implicit reliance on the good faith and honour of the generality of these institutions. With the aid of one or two good endorsers, he may possibly, in the outset, procure any reasonable accommodation, as an auxiliary to his usual business; but let him beware, and not depend unreservedly upon this friendly interposition; for it is probably in the hour of his utmost need, when repeated indulgences of this kind may have quieted his suspicion, and lessened the precaution that should, in part, have made him independent of bank favour, that this resource will have failed—this kindness and liberality will pro-

bably cease; leading him, it may be, into far greater difficulties than any in which he could possibly have found himself placed, had he stood clear in the outset from all connection or intercourse with these proverbially corrupt and profligate establishments.

He should also avoid an American money-broker, as he would a plague or moral pestilence. No possible human good can result from a contamination with this class of men; these Shylocks of the new world— these Jews and Lombards of the present day; who live upon the very heart's blood of the numerous victims caught within their meshes, and deride with a stern and unaffected stoicism, the difficulty and misfortune they are generally sure to occasion. If the emigrant's circumstances are at all restricted, so also should be his first introduction into business; one should in all things accord with the other; and enlarge only as his actual means may multiply. His advance, it is true, may be somewhat more tardy—his position with the world more unpretending, by reason of this precaution; yet will his business be placed on a firmer basis, the foundation of his real prosperity, instead of portending his probable dissolution, originating in the improvidence of an opposite line of conduct.

In whatever business the emigrant may embark his fortunes, his first and early care should be to effect insurance on his premises, as also, on his stock in trade, however small. The number of fires, with the lamentable destruction of property that take place, especially in the large populous cities of the

Republic, are, in a manner, beyond all reasonable calculation or belief. The city of New York stands pre-eminent in this respect, and may, in good earnest, be called the Queen City of the Fires. It would appear to be her province to outshine, as she already far exceeds, in her industry and enterprise, every other city of the western hemisphere, and to change some particular feature of her gaily-built streets with every coming season of the year. The number of conflagrations that take place within her municipal limits, are probably multiplied twenty-fold of those amidst any other population of a similar extent in Europe, and far exceed the recapitulation of any other city in America. Seldom, indeed, that a week passes by, nay, scarcely a night intervenes throughout the lengthened season of the year, that the portentous and familiar sound of the alarm-bell is not heard above every other interruption, to disturb the otherwise generally peaceful quiet of its citizens, and proclaim aloud some new and dire calamity. The frequency of fires are at first calculated to excite an unusual and extreme degree of apprehension in the minds of strangers, especially of those lately resident in the country, but who soon become familiarized to the startling and appalling cry of "*fire! fire!*" which now and again, at each interval of the night, re-echoes along this otherwise silent and peaceful city, followed by the din and turmoil of the several engines passing on their way to this last scene of conflagration—succeeded, it may be, by the several hose and ladder companies, each more impatient

than the other to be first upon the ground, to make available their gratuitous and timely assistance, wherever needed.

These sounds and preparations, that generally bode misfortune to some luckless citizen, soon fail to disquiet even the passing stranger, or in the slightest degree to interrupt his equanimity; and, in in the end, so little interest his curiosity, that after a while they cease to become even an object of his inquiry, or of casual remark, in any of his conversations.

The municipal arrangements for the suppression of fires within the city of New York, (and which are generally the same throughout the other cities and towns of the Republic), are regulated after a very simple mode. It is perhaps on this account, that the fire department are generally found so very efficient in checking the progress of this destructive element. The city is divided into four districts, each comprising two or more municipal wards, that are numbered in succession, from 1 to 4. A watchman is continually stationed on the look out, from the dome or cupola of the City Hall, where his keen and practised eye can readily encompass the entire city, and determine at a glance, the particular district in which a fire may first break out. He, thereupon, immediately sounds an alarm, by means of the ponderous and deep-toned city bell, which is distinctly heard, far beyond the outward limit of New York, chiming but one stroke at each interval of half a minute, should the fire chance to be in the first fire

district—two strokes, in easy succession, and continued with the same intermission of half a minute, should it be first discovered in the second—and in like manner, in the third, and fourth district, varying, and adapting the number of strokes according to whatever district the fire may have first broken out. By this ready and intelligible means every citizen is at once made acquainted with the particular whereabouts, or part of the city, in which the fire may have first shewn itself. The several church, market, and other bells take up, and continue the alarm in every ward—engines from every quarter hurry to the spot, and, before some five or ten minutes from the time the first notice is given may intervene, at least one dozen engines are on the ground in full play; the others arriving in rapid succession, according to the distance they may have to travel.

The services of the fire department are gratuitious; though not the less efficient on that account. Indeed, we have often stood amazed at the activity and daring—the extraordinary self-devotion and zeal of the young men who compose its ranks, comprising many of the sons of the most independent of American citizens, and who assume the duties with an earnestness—an ardour, and self-denial, we have seldom seen surpassed.

Each municipal ward is organized by two or more companies belonging to it—their services equally extending to the suppression or extinguishment of fire, in any, even the remotest part of the

city. Their ranks are filled up by volunteers, who, in consideration of the toil, the unremitting labour to which they are exposed, are exempt from militia and other duties, and the payment of some of the municipal taxes. But the situation carries with it an honorary distinction, which is the reward that many seek for, in subjecting themselves to the dangers and difficulties—the arduous and laborious duties, of this severe and benevolent occupation. Their fire engines are of a light, though of an extremely serviceable kind, furnished to them in the first instance by the city corporation, but upon which many of the companies expend various sums, from eight to twelve hundred dollars of their own money in the decorations, which are often well chosen—the rich and tasteful mounting with which they frequently choose to have them adorned. It is their hobby, and certainly looked after with the utmost care and watchfulness, excited by an intense emulation among the companies, in the bold and often dangerous service, they so freely and cheerfully tender to their fellow-citizens. The entire wear a particular dress or uniform, peculiar to each locality; in New York, a drab-coloured cloth with a helmet-cap of singular shape made to resist and protect the head from injury or contusion. The department in this city, is presided over, and directed in all its arrangements by a head engineer, appointed and liberally paid by the corporation, and who is bound to be present at every fire in whatever part, within the municipal jurisdiction of the city,

it may occur. The winter season is always the most calamitous. The destruction of some half dozen buildings are frequently recorded, as of the casualties and misfortunes of a single night; often in consequence of the difficulty of working the engines, occasioned by the immediate congealing of the water into one solid body of ice, the moment that it is emitted into the conducting hose. The dreadful conflagration of 1835, that laid a large district of the most densely populated and business part of the city of New York in one indiscriminate heap of ruins, may owe itself as of this consequence. The firemen, and great body of citizens, stood spectators of this awful calamity—saw this fair portion of their city consigned to a destructive and devouring element, with a total loss of property estimated at about *fifteen millions of dollars*, without the possibility of making any available effort to its preservation. Some few houses, under the direction of the authorities, were blown up with gunpowder, as the only means of intercepting the progress of the flames, and preventing its spread to other parts of the city.

We shortly afterwards passed over the smouldering ruins of this vast desolation, where, within an expanse of several acres, the gable wall of but one lonely dwelling remained standing, as a mournful and solitary momento of this awful visitation. No trace could then be marked out, except with extreme difficulty, of any former dwelling, or even where a street had run its way,—not a mark appeared,

by which to distinguish the divisional walls of separate tenements. All was chaos and indiscriminate waste; while several months were subsequently occupied in clearing away the burning embers of this mass of melancholy ruins.

Some idea may be formed of American enterprise —the extraordinary buoyancy – the persevering energy and activity of its people, when we state the fact, that we afterwards passed over the same ground, late in the season of 1837, when the entire had been rebuilt, after a more improved and serviceable fashion, and was at the time fully occupied; nor was there a chasm then left, for the exercise of further industry or amendment.

There were erected in New York, according to well authenticated accounts, in the year 1836, immediately succeeding the great fire, and principally within the burnt district—860 dwelling houses——805 stores and storehouses—60 manufactories of different kinds—13 churches—46 stables, &c.—1 theatre — 13 slaughter houses — 2 fire-engine houses—1 distillery—1 brewery—3 boat-building houses—1 school house—2 markets—1 prison and hall of Justice, and 1 house of detention.

Few citizens continue uninsured, though insurance companies are unusually chary in granting policies for more than one half, or at the utmost, two-thirds of the actual, or estimated, value of the goods, or premises to be insured; while also making it conditional on the insuring party, to state, if any policy has been effected on the same property, in any other

office:—for it were somewhat difficult to reconcile the numerous and appalling fires that nightly take place to mere accidental causes, or to hide from observation the frequently suspicious circumstances attending so many of these calamities, with a knowledge of the daring and desperate expedients to which Americans will sometimes resort, to resuscitate their fortunes, notwithstanding their conscious infraction of the law, and of all moral obligation, that seldom interferes to divert them from the stern purpose of any resolve. Arson is a crime, we apprehend, of frequent committal in the United States. The laxity with which the laws are administered, except for trivial, or petty offences—the readiness at all times to compound felony for any trifling consideration, with the kindly and sympathetic feeling that detection in this mode of bettering their means is sure to excite in the minds of a large proportion of the American public, whose circumstances may incline them to similar expedients, with the adroit cunning with which such acts are usually perpetrated, renders detection, in most cases, exceedingly difficult and uncertain.

The insurance companies, on the other hand, are by no means too ready or over anxious to adjust the claims made upon them, a degree of suspicion more or less attaching to casualties of this kind; while but few of these institutions possess any adequate, or sufficient capital, to indemnify the public for any serious loss, and on this account generally prefer extending the field of their operations over a large

surface, and insuring for smaller sums, seldom exceeding in any one instance from six to ten thousand dollars, than to increase their capital, and accommodate their business to the actual wants and necessities of the public. They know that while they ensure property to one third only, or to one half of its real, or estimated value, that they preserve a direct interest to the owner or proprietor in its preservation, and an inducement above all others, to save it from every casualty and risk.

The report made to the state legislature, by the several insurance companies of New York, immediately subsequent to the great fire of 1835, and in pursuance of a resolution, requiring a statement of their "losses, capital, amount insured, and when their several charters would expire"—(from which we extract the following), presents a most deplorable state of the then condition, as well the unbecoming and fraudulent dealing of these chartered institutions. The detail is submitted as a tolerable specimen of the general character and solvency of all similar establishments throughout the United States, and of which those of New York were generally considered the least exceptionable.

The *Franklin* Insurance Company; capital 250,000 dollars; amount insured in the burnt district above 900,000 dollars; charter expired on the 6th of the following month.

The *American* Company had insured to the amount of 420,000 dollars of the property destroyed by the fire. Capital only 200,000 dollars; char-

tered in 1832 for 30 years. The dividends therefore payable were 7 per cent.

The *Phœnix* Company had insured on property in the burnt district to *double* the amount of its capital. Its charter was to expire in 1844.

The *Howard* Company had 950,000 dollars insured in the burnt district. Capital only 300,000 dollars; losses about 700,000 dollars.

The *Merchants* charter will expire in 1849; loss supposed to be about 900,000 dollars; capital 500,000 dollars only.

The *Trader's* Company was chartered in 1825 for twenty-one years, its capital 250,000 dollars, while the amount insured in the burnt district was 924,000 dollars; loss estimated at 700,000 dollars.

The *Fireman's* Company. Charter to expire in 1846. Capital 300,000 dollars; losses on property in the burnt district 476,921 dollars.

The *Fulton* had a surplus of 86,041 dollars; capital, 270,000 dollars; recent losses 336,919 dollars.

The *Etna's* charter will expire in 1845; capital, 200,000 dollars; insurance in the burnt district, 520,000 dollars.

The *Equitable* was chartered in 1823, for twenty-one years. The amount insured on property, in the burnt district, was 404,500 dollars; estimated at 300,000. Its capital was only 300,000 dollars.

We have, in this summary, a tolerably fair specimen of the character and solvency of the general class of American chartered fire insurance compa-

nies, set forth in the particulars of the *ten* that we have enumerated; the aggregate amount of whose assumed capital, at no previous time, exceeded a sum of 2,820,000 dollars; scarcely more than sufficient to set going in any proper business operation, one really useful or respectable establishment, while their united responsibilities, in one district alone of the city of New York, without at all taking into account their liabilities in other parts of the city, State, and Union generally, to which the amount insured in the burnt district could scarcely have been in the proportion of one-tenth part, amounted to no less a sum than 7,432,340 dollars.

The severe losses sustained by the citizens of New York in this instance may, in great part, be set down as the consequent of their own imprudence; their selfishness, and unreasonable hostility to every thing foreign, or bearing an English name and character. The enterprise of some British Insurance Company (we believe the Phœnix) induced them, some few years ago, and before the prohibition against foreign companies engaging in similar undertakings, to issue policies of insurance on property, within the city of New York, where they had also an office, and an appointed agency, to facilitate these arrangements. The straight-forward and extremely liberal conduct of this establishment ensured it a very considerable patronage; but the outcry of foreign interference in their internal and business arrangements, (a subject on which the feelings and prejudices of every American are easily

excited,) was raised against this respectable and wealthy institution. The jealousy of rival native companies were encouraged, and a storm, in consequence, gathered round its head, which is stated to have called forth the legislative interference of the State Government, compelling the conductors of this foreign agency to close their office in NewYork, and to retire to the opposite shore of the Hudson, in the state of New Jersey, where, in despite of many ungenerous obstacles in their way, alike impolitic as unjust, they continued to insure in the city of New York, for some short while longer, but were eventually induced to end, and wind up their affairs.

The marine insurance companies are generally of the same stamp as the others. If that we may judge from the frequent proceedings in the American law courts, and the numerous verdicts recorded against them, we should conclude, that their particular mode of transacting business was neither liberal nor satisfactory. From all that we have seen recorded, we should, under every circumstance, where practicable, advise the emigrant to negociate whatever business-transactions he may have in this way, in London, rather than to expose himself to the difficulty, it may be, the risk of an interminable warfare, and probably of loss, in any dealing or disputed claim, arising out of any business intercourse with these parties. He should always bear in mind the axiom we have endeavoured to inculcate, that in all disputes, or controverted questions, in which a

foreigner may perchance be a party, a strong prejudice always leans to the interests of the native citizen, whatever may be the inherent or abstract merits of the case between them.

In taking our leave of the merchant, we cannot avoid reiterating our advice, to preserve above all things a careful watchfulness over his conduct, in his general or more immediate intercourse with the people whom he will find himself amongst; and who, looking upon his arrival in the country with disfavour, require but few pretexts to treat him with discourtesy or unkindness. In whatever situation he may be placed, his course, indeed, his first duty to himself should be, to restrain his observations, and avoid, as far as possible, all discussions on national and political subjects, without that he is prepared to yield assent to the illiberal and extravagant notions of every newly-made acquaintance, whose arguments (if American) are generally based on the self-assumed notion of his country being the first of all nations of the world. To dispute this position, on which the mind of every citizen has been long since made up and set at rest, would lead him into many and interminable difficulties, which he would find in the end, neither advantageous to his interests to invite, or safe to his person or liberties to pursue. The narrowed and still-existing prejudice, the strong dislike to every thing English, but their money and their credit, (by means of which, nevertheless, a great proportion of the trade of these states, and of their general improvement, is

carried on), and which is too often mixed up with their personal and social feelings, as well with the due and equitable administration of justice, is by far too general, too deeply-seated in the minds of the great bulk of the population, to admit of the emigrant's taking part in any general discussion or inquiry, where the relative merits of either country may become the subject of disquisition, at least, with any reasonable hope of being able to influence the opinions of others, or of assuring their assent to any proposition, however based, or well sustained, if at variance with their cherished notions of American pre-eminence, or affected belief of British inferiority. They dislike the country, disguise it as they may, while they still fear its controlling power—its just influence amidst the nations of the world; and, though a slight from England would, of all others, be the first to arouse their pride, and give directions to their national feelings, they will, nevertheless, (and in the event of any future misunderstanding), take council by the past—adopt every practicable expedient—submit to every reasonable concession, rather than risk the chances of another war; that, in despite of the very silly vaunting in which they indulge as of their peculiar province—their affected notions of superiority and prowess, would bring with it many positive and dire calamities, for which they are altogether unprepared—closing up every avenue to industry and wealth, and depriving them of those resources, without which, three-fifths of the population could scarcely find means to subsist, at

least, as at present accustomed. A stranger, under such circumstances, will always act wisely in carefully avoiding the discussion of political subjects, and observing a becoming prudence in confining his opinions on all such matters to himself.

The anxiety of Americans to enter the lists on these exciting topics, and to dwell in particular on the incidents of the last war with England, which is the fruitful theme of disquisition at all their public meetings, can only be attributed to their generally imperfect information on all such matters — the ignorance in which they have been schooled, and that has led them into the most erroneous and extravagant opinions in all relating to themselves, their government, and conduct. On no occasion that we have listened to their remarks, and they have been frequent, have we ever heard uttered from their lips a fair exposition of any fact, in which their country, or its honour have been in any manner concerned, or known any instance, while insisting on an over-measure of justice to themselves, where they have conceded the smallest share of what may have been due to others; but deaf to every mild assurance—to every reasonable explanation that may in the least degree interfere with their self-love and exuberant vanity, they adhere with the same pertinacity to their oft repeated and oft refuted errors, and in despite of their public records, and the many other tests by which their position, and past conduct may be judged, persist to the last, when speaking of their country, or themselves, in a strain of the same

extravagant laudation and hyperbole, that has made them a bye-word amongst every other people.

Their public press has much to answer for in this respect, by means of which, and its frequent misrepresentation, the truth is assiduously and artfully withheld, whenever its explanation might militate in counteracting these opinions, and setting the public right on matters on which it is essential they should be correctly and truly informed. But the affair is their own, and requires at their hands a determined and speedy correction. For our part, we can but forewarn the British emigrant and stranger of the annoyances to which, in consequence, he is ever and anon exposed, and arm him with facts, such as we have set out in several of the preceding pages, that will enable him, if ever constrained to the task, to meet the misstatements, and repel the distorted—the unjust and angry accusations he will sometimes hear made against his country.

It is a practice of the American, more especially of the public press, to charge the foreigner with illiberality and injustice in his strictures upon his country—the customs and manners of its people; while in no instance do they descend from a general habit of scurrilous, and unbecoming abuse, to contravene one solitary statement, or to disabuse the public mind of the asserted facts put forth in any of the late and numerous works upon the United States. They affect surprise that Englishmen cannot see their country through the same optics that they regard it, or that they should find some diffi-

culty in identifying their feelings with a people whose antipathies display themselves on almost every occasion, except where self-interest may restrain its exhibition, even to the open avowal of their dislike. They surely must know, that even the most popular speaker in any mixed assembly of their citizens, can seldom succeed in enlisting the feelings, or extorting one meagre or solitary cheer from his auditory, until he may have first indulged in some well-chosen and vituperative language—some ungenerous and uncalled-for abuse, decrying "the tyranny—the oppression and bad faith of England," or until he had fought over the battles of the last war, distorted and interspersed as such statements generally are, with an unreasonable admixture of rude reproach, and the most extravagant denunciation, to suit their tastes—their peculiar and sickly appetites. Even their goddess of liberty, whom they assume to worship, and whose type so pompously heads their public placards, or printed notices, is made in keeping with the rest, and considered imperfect in its device, without their deity is made to rest her sandled feet upon the broken sceptre of England, and to trample under foot the proud and unsullied flag that protects and proclaims her well-secured liberties to the world. Oh, no!—If the feelings of Englishmen, on reaching the shores of the United States, become in any way estranged and more sensibly alive to the peculiarities—the foibles and many eccentricities of the American character, they may readily find among

themselves the ingredients by which the change is brought about. They may trace it to their insupportable pride—their insolent deportment and selfish illiberality, which makes them heedless of the taunts they so readily apply to others—in the spirit of their institutions—the perversion of law and justice mixed up in their every day practice, and in the oppression and severe wrong of which they are the abettors, even to the present hour. They should seek to remove the cause before complaining of the effect it produces. Should they desire this—should they wish to turn to a more reasonable way of thinking and of acting, they should set about the task in good earnest—put their own shoulders to the work, and not leave it until accomplished. Let them do this—restrain the impulses of a wanton and unprovoked jealousy, and instead of regarding Englishmen in the light they are generally wont to represent them to each other, treat them with a little more of courtesy, or at least of justice and forbearance, especially when amongst them; and instead of encouraging the angry recollections—the unpleasant reminiscences of past feuds and by-gone dissensions, recognise them as men engaged in the same sacred cause in which they declare themselves to have embarked, whose habits, language, and general wants are the same—whose interests are closely and indissolubly identified, and who are running in the same road in which they so often represent themselves, for freedom and national independence:—then will those asperities be softened down, those

national antipathies to which they have given encouragement be at an end, to be succeeded by that peaceful and better understanding between both nations, which to every rational and unprejudiced mind, is "a consummation devoutly to be wished."

END OF VOL. II.

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